













# LEGISLATIVE ASSEMBLY OF ONTARIO

---

BILLS  
AS INTRODUCED IN THE HOUSE  
TOGETHER WITH  
REPRINTS AND THIRD READINGS

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SESSION  
FEBRUARY 20th to APRIL 18th  
1935



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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

---

# BILL

An Act respecting the City of Owen Sound.

---

MR. PATTERSON

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(PRIVATE BILL)

No. 1

1935

# BILL

An Act respecting the City of Owen Sound.

Preamble.

**W**HEREAS the corporation of the city of Owen Sound has by its petition prayed for a special Act to amend *The City of Owen Sound Act, 1929*, to provide for the mayor holding office for a term of two years; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The City of Owen Sound Act, 1935*.

1929, c. 115,  
s. 2, subs. 2,  
repealed. **2.** Subsection 2 of section 2 of *The City of Owen Sound Act, 1929*, is repealed, and the following substituted therefor:

Term of  
office of  
mayor.

(2) From and after the 1st day of January, 1936, the mayor of the said city shall hold office for a term of two years and until his successor is elected and takes office.

Commencement  
of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.



BILL

An Act respecting the City of  
Owen Sound.

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. PATTERSON

(*Private Bill*)

No. 1

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the City of Owen Sound.

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MR. PATTERSON

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 1

1935

# BILL

An Act respecting the City of Owen Sound.

Preamble.

**W**HEREAS the corporation of the city of Owen Sound has by its petition prayed for a special Act to amend *The City of Owen Sound Act, 1929*, to provide for the mayor holding office for a term of two years; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The City of Owen Sound Act, 1935*.

1929, c. 115, s. 2, subs. 2, repealed. **2.** Subsection 2 of section 2 of *The City of Owen Sound Act, 1929*, is repealed, and the following substituted therefor:

Term of office of mayor.

(2) From and after the 1st day of January, 1936, the mayor of the said city shall hold office for a term of two years and until his successor is elected and takes office.

Commencement of Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.



BILL

An Act respecting the City of  
Owen Sound.

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*1st Reading*

March 12th, 1935

*2nd Reading*

March 25th, 1935

*3rd Reading*

April 1st, 1935

---

MR. PATTERSON

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No. 2

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the City of St. Thomas.

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MR. COLTER

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(PRIVATE BILL)

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 2

1935

# BILL

## An Act respecting the City of St. Thomas.

Preamble.

**W**HEREAS the corporation of the city of St. Thomas has by petition represented that it desires to appoint members of the Public Utilities Commission of the said city of St. Thomas and to provide for taking the assessment of business as hereinafter provided; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The City of St. Thomas Act, 1935.*

Appointment of members of Utilities Commission.

**2.** The council of the corporation of the city of St. Thomas may by by-law appoint four members of the Public Utilities Commission of the city of St. Thomas established under by-law number 3064 to hold office for the year 1935 only and until their successors are elected, as provided under said by-law 3064.

Business Assessment.

**3.—(1)** Notwithstanding the provisions of *The Assessment Act,* the council of the said corporation may by by-law provide:

Time for taking assessment.

(a) For taking the assessment of business during such time of the year in which the rates of taxation thereon are to be levied, as the by-law may provide;

When business tax to be payable.

(b) That taxation upon such business assessments may be made payable at a time different from that at which other taxations are payable;

Return of roll and appeals.

(c) The time when the roll for such business assessments shall be returned and for holding a Court of Revision for hearing appeals from such assessments after the return of the roll to the clerk.



Time for  
appeals.

(2) The time for appeal to the court of revision shall be within ten days after the last day fixed for the return of the said roll and the time for appealing from the court of revision to the county judge shall be within three days after the decision of the court of revision is given.

Commencement of  
Act.

4. This Act shall come into force on the day upon which it receives the Royal Assent.



## BY-LAW No. 3064

To PROVIDE for Placing under the Control and Management of One Commission all Public Utilities Owned by the Corporation of the City of St. Thomas.

Whereas pursuant to the provisions of The Municipal Waterworks Act, R.S.O. 1887, Chapter 192, Section 38, the Corporation of the City of St. Thomas, by its By-law Number 608, placed the waterworks in the said City under the control and management of a Board of Commissioners, as provided by the said Act;

And whereas pursuant to the provisions of The Public Utilities Act, R.S.O. 1914, Chapter 249, the said Corporation having entered into a contract with The Hydro-Electric Power Commission of Ontario for the supply of electrical power or energy, by its By-law Number 2119 established a Commission called "The Hydro-Electric Commission of the City of St. Thomas" for the control and management of the construction, operation and maintenance of all works undertaken by the said Corporation for the distribution and supply of such electrical power or energy.

And whereas pursuant to the provisions of The City of St. Thomas Act, 1931, Statutes of Ontario, 1931, Chapter 121, Section 10, Subsection 1, the said Corporation by its By-law Number 2877 established a Commission called "The Gas Commission of the City of St. Thomas" for the control, management and operation of the Gas Plant owned and operated by the said Corporation;

And whereas the said City of St. Thomas Act, 1931, Statutes of Ontario, 1931, Chapter 121, Section 10, Subsection 3, expressly provides that the said "The Gas Commission of the City of St. Thomas" shall be deemed to be a Commission established under Part III of The Public Utilities Act, R.S.O. 1927, Chapter 249, and that the provisions of the said last mentioned Act shall apply to it;

And whereas pursuant to the provisions of the said The Public Utilities Act, R.S.O. 1927, Chapter 249, Sections 40 and 35, it is deemed expedient to repeal the said hereinbefore in part recited By-laws of the said Corporation and to place under the control and management of one commission all public utility works owned by the said Corporation;

And whereas pursuant to the provisions of the said The Public Utilities Act, R.S.O. 1927, Chapter 249, Section 35, Subsection 5, The Hydro-Electric Power Commission of Ontario has consented to the repeal of said hereinbefore in part recited By-law Number 2119 of said Corporation;

Therefore, the Council of the Corporation of the City of St. Thomas pursuant to all powers thereunto enabling, enacts as follows:

1. That a Commission to be called "The Public Utility Commission of the City of St. Thomas" shall be established in the said City of St. Thomas:

- (a) For the control, management, maintenance and operation of the waterworks of the said Corporation;
- (b) For the control and management of the construction, operation and maintenance of all works undertaken or hereafter undertaken by the said Corporation for the distribution and supply of electrical power or energy supplied by the Hydro-Electric Power Commission of Ontario under any contracts now existing and entered into between the last named Commission and the Hydro-Electric Commission of the City of St. Thomas or this Corporation;
- (c) For the control, management and operation of the Gas Plant now owned by the said Corporation and operated by the Gas Commission of the City of St. Thomas;



2. That the said Commission is so established under and pursuant to The Public Utilities Act, R.S.O. 1927, Chapter 249, and all the provisions of the said Act shall apply to it.

3. That the said Commission shall consist of five members of whom the Mayor of said Corporation for the time being shall ex-officio be one, and the others shall be elected at the same time and place and in the same manner as the head of the Council.

4. That one-half of the first elected members shall hold office for two years and the other one-half for one year, and shall continue in office until their successors are elected and the new Commission organized.

5. That at the first meeting of the said Commission after the first election, the members who are to hold office for two years shall be chosen by lot.

6. That as soon as the members of said Commission are elected and the new Commission is organized, the said hereinbefore in part recited By-laws Numbers 608, 2119 and 2887 of the said Corporation shall thereupon be and are repealed.

7. This By-law shall, subject to the assent of the electors of the said City of St. Thomas duly qualified to vote thereon having been obtained thereto, come into force on the final passing thereof to take effect upon the members of said Commission being elected and the new Commission organized.

Read a first time this 31st day of October, A.D. 1934.

Read a second time this 31st day of October, A.D. 1934.

Read a third time and finally passed this 4th day of December, A.D. 1934.

Sgd. EDNA M. BENNETT,  
*City Clerk.*

Sgd. A. W. JOHNSON,  
*Mayor.*

(Seal)







BILL

An Act respecting the City of  
St. Thomas.

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. COLTER

(*Private Bill*)

No. 2

---

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the City of St. Thomas.

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MR. COLTER

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 2

1935

# BILL

## An Act respecting the City of St. Thomas.

Preamble.

**W**HEREAS the corporation of the city of St. Thomas has by petition represented that it desires to appoint members of the Public Utilities Commission of the said city of St. Thomas and to provide for taking the assessment of business as hereinafter provided; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of St. Thomas Act, 1935.*

Appointment of  
members of  
Utilities  
Commission.

2. The council of the corporation of the city of St. Thomas may by by-law appoint four members of the Public Utilities Commission of the city of St. Thomas established under by-law number 3064 to hold office for the year 1935 only and until their successors are elected, as provided under said by-law 3064.

Business  
Assessment.

3.—(1) Notwithstanding the provisions of *The Assessment Act*, the council of the said corporation may by by-law provide:

Time for  
taking  
assessment.

(a) For taking the assessment of business during such time of the year in which the rates of taxation thereon are to be levied, as the by-law may provide;

When  
business  
tax to be  
payable.

(b) That taxation upon such business assessments may be made payable at a time different from that at which other taxations are payable;

Return of  
roll and  
appeals.

(c) The time when the roll for such business assessments shall be returned and for holding a Court of Revision for hearing appeals from such assessments after the return of the roll to the clerk.

(2) The time for appeal to the court of revision shall be <sup>Time for appeals.</sup> within ten days after the last day fixed for the return of the said roll and the time for appealing from the court of revision to the county judge shall be within three days after the decision of the court of revision is given.

4. This Act shall come into force on the day upon which <sup>Commencement of Act.</sup> it receives the Royal Assent.

BILL

An Act respecting the City of  
St. Thomas.

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---

*1st Reading*

March 12th, 1935

*2nd Reading*

March 25th, 1935

*3rd Reading*

April 1st, 1935

---

MR. COLTER

NO. 3

---

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

---

# BILL

An Act respecting the Township of Crowland.

---

MR. ANDERSON

---

(PRIVATE BILL)

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 3

1935

# BILL

## An Act respecting the Township of Crowland.

**Preamble.**

**W**HEREAS the corporation of the township of Crowland has by its petition prayed for special legislation in respect of the matters hereinafter set forth, and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

1. This Act may be cited as *The Township of Crowland Act, 1935.*

Election of  
trustees for  
School  
Sections  
Nos. 3 and 9.  
Rev. Stat.,  
c. 323, s. 76.

2. The trustees of the public school boards of sections numbers 3 and 9 of the township of Crowland in the county of Welland respectively shall be elected as provided by section 76 of *The Public Schools Act.*

Vacancies in  
office of  
School  
Trustees.—  
how filled.

**Proviso.**

3. Where the office of trustee of either of the said boards becomes vacant from any cause, a new election shall be held to fill such vacancy in the manner provided for holding the annual election of trustees, and the person elected shall hold office for the remainder of the term for which his predecessor was elected; provided that no election shall be necessary when the vacancy occurs after the 31st day of October in any year, but the office shall remain vacant until the annual election; and if the term of the vacant office then expires a new trustee shall be elected; or if the term of the vacant office does not then expire, some duly qualified person shall be elected at such annual election to fill the vacancy for the unexpired term of office for which his predecessor was elected.

Confirmation of tax  
sales and  
conveyances.

4.—(1) All sales of land within the township of Crowland made prior to the 31st day of December, 1933, and purporting to have been made by the corporation of the said township or its treasurer for arrears of taxes in respect to land so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the reeve and treasurer of the said corporation purporting to convey the said land so sold to the



purchaser thereof or his heirs or assigns or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns, and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.

Pending litigation  
not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation, or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Commencement of Act.

5. This Act, other than section 4, shall come into force on the day upon which it receives the Royal Assent. Section 4 shall come into force on the 1st day of July, 1935.







BILL

An Act respecting the Township of  
Crowland.

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. ANDERSON

(*Private Bill*)

No. 3

---

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

---

## BILL

An Act respecting the Township of Crowland.

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MR. ANDERSON

---

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 3

1935

# BILL

## An Act respecting the Township of Crowland.

Preamble.

**W**HEREAS the corporation of the township of Crowland has by its petition prayed for special legislation in respect of the matters hereinafter set forth, and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

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Election of  
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Rev. Stat.,  
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**2.** The trustees of the public school boards of sections numbers 3 and 9 of the township of Crowland in the county of Welland respectively shall be elected as provided by section 76 of *The Public Schools Act.*

Vacancies in  
office of  
School  
Trustees.—  
how filled.

Proviso.

**3.** Where the office of trustee of either of the said boards becomes vacant from any cause, a new election shall be held to fill such vacancy in the manner provided for holding the annual election of trustees, and the person elected shall hold office for the remainder of the term for which his predecessor was elected; provided that no election shall be necessary when the vacancy occurs after the 31st day of October in any year, but the office shall remain vacant until the annual election; and if the term of the vacant office then expires a new trustee shall be elected; or if the term of the vacant office does not then expire, some duly qualified person shall be elected at such annual election to fill the vacancy for the unexpired term of office for which his predecessor was elected.

Confirmation of tax  
sales and  
conveyances.

**4.**—(1) All sales of land within the township of Crowland made prior to the 31st day of December, 1933, and purporting to have been made by the corporation of the said township or its treasurer for arrears of taxes in respect to land so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the reeve and treasurer of the said corporation purporting to convey the said land so sold to the

purchaser thereof or his heirs or assigns or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns, and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation, or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

5. This Act, other than section 4, shall come into force on the day upon which it receives the Royal Assent. Section 4 shall come into force on the 1st day of July, 1935.

BILL

An Act respecting the Township of  
Crowland.

---

*1st Reading*

March 12th, 1935

*2nd Reading*

March 25th, 1935

*3rd Reading*

April 1st, 1935

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MR. ANDERSON

---

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the Town of Goderich.

---

MR. BALLANTYNE

---

(PRIVATE BILL)

No. 4

1935

# BILL

## An Act respecting the Town of Goderich.

**Preamble.**

**W**HEREAS the corporation of the town of Goderich has by its petition represented that its by-law number 24 for the year 1934 has been submitted to and received the assent of the electors of the corporation duly qualified to vote on money by-laws and has prayed that an Act be passed to validate and confirm the said by-law and the agreement entered into pursuant thereto; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

**1.** This Act may be cited as *The Town of Goderich Act, 1935*.

**By-law  
No. 24,  
confirmed.**

**2.** By-law number 24 of the corporation of the town of Goderich and the agreement entered into pursuant thereto dated the 3rd day of December, 1934, between the said corporation and the Goderich Organ Company, Limited, are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the said company, its successors and assigns.

**Commencement  
of Act.**

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.



**TOWN OF GODERICH**

**BY-LAW NO. 24 OF 1934 OF THE CORPORATION OF  
THE TOWN OF GODERICH.**

A By-Law to authorize a guarantee by the Corporation of the Town of Goderich of the Bonds or Debentures of the Goderich Organ Company, Limited.

Whereas under By-law number thirty-eight of 1902 of the Town of Goderich, the Corporation issued debentures and loaned the Goderich Organ Company, Limited, the sum of Twenty-five Thousand Dollars by way of a mortgage, which mortgage was to be repaid to the Corporation at the rate of Two Thousand Dollars per annum beginning with the year 1905.

And whereas there is still owing on the said mortgage, together with the interest thereon, the sum of Nine Thousand Five Hundred and Twenty-eight Dollars (\$9,528.00) on December 31st, 1934, such sum being composed of Eight Thousand Dollars (\$8,000.00) of principal money and One Thousand Five Hundred and Twenty-eight Dollars (\$1,528.00) as interest.

And whereas the amount of taxes on the property of the said Goderich Organ Company, Limited, owing to the said Corporation is Five Thousand Five Hundred and Sixty-six Dollars (\$5,566.00) to the 31st December, 1934.

And whereas the said Goderich Organ Company, Limited, has requested the Council of the Corporation of the Town of Goderich for further financial aid by having the said Corporation guarantee the bonds of the said Goderich Organ Company, Limited, to the amount of Ten Thousand Dollars (\$10,000.00) to enable the said Company to pay off its trade debts, the interest owing the Corporation under its mortgage, and all taxes owing on the property of the said Company to the said Corporation to the 31st December, 1934, as hereinbefore set forth.

And whereas the said Corporation is so financially interested in the said Company it is thought expedient to grant this request for further financial aid.

Therefore be it enacted and it is hereby enacted by the Municipal Council of the Corporation of the Town of Goderich as follows:

1. It shall be lawful for the Mayor and Clerk, in the name and on behalf of the Corporation of the Town of Goderich, and under its corporate seal, to execute and deliver as the act and deed of the said Corporation the written or printed guarantee or guarantees of the said Corporation guaranteeing due payment by the said Town of Goderich of the principal and interest at the rate of five per cent. per annum of the bonds of the Goderich Organ Company, Limited, up to, but not exceeding, the sum of Ten Thousand Dollars (\$10,000.00) for principal, repayable in ten equal annual instalments of principal and interest, said guarantee to be to the effect that upon default being made by the said Company in payment of the principal or interest secured by the said bonds so guaranteed, the Corporation of the Town of Goderich will pay upon demand to the holders of said bonds the amount in respect of payment of which default has been made, such guarantee to be otherwise in such form and to contain such other or additional provisions as shall be approved of by the Mayor and solicitor for the said Corporation, provided, however, that such provisions and conditions do not limit the obligations of the said Corporation to pay the amount so in default upon demand as aforesaid.

2. That the proceeds from the sale of such bonds shall be used in the following manner:

(A) The Town of Goderich to retain a sufficient portion of the proceeds from such sale to pay off all taxes owing by said Company to the said Corporation to December 31st, 1934, together with all interest owing by the said Company to the said Corporation under the said mortgage as authorized by By-law No. 38 of 1902 of the Town of Goderich.



(B) The balance of the proceeds of the sale of such bonds to be used for the purpose of paying off the trade debts of the Company, such payments to be approved by the said Corporation and to be made by method as hereinafter mentioned.

3. Prior to the execution of the guarantee or guarantees of the bonds of the said Company, or any of them, by the said Corporation, and as a condition precedent thereto, the said Company shall execute and deliver to the said Corporation a mortgage in triplicate upon the lands of the said Company situate in the Town of Goderich and described as Lots Running Numbers 977, 978, 1014, 1015 and 976 in the Town of Goderich, and upon all buildings, plant, machinery, tools and patterns, erected or to be erected thereon, or placed therein, or used in connection with the business carried on by the said Company, such mortgage to be executed with the necessary approval of the shareholders of the said Company duly given at a meeting called for that purpose and to constitute a first charge upon the said property. The said mortgage shall contain the clauses and provisions usually found in mortgages given by companies to secure bonds, and shall be settled and approved by the solicitor for the said Corporation; and said mortgage shall secure and provide for the immediate repayment to the said Corporation of all moneys which may be paid by it in respect to the said guaranteed bonds and said mortgage shall secure and provide for the repayment by the said Company to the said Corporation of all principal moneys owing by the Company to the Corporation under a mortgage authorized by By-law No. 38 of 1902 of the Town of Goderich in ten equal annual instalments of principal and interest; such mortgage shall also provide for the insurance by the said Company of the said mortgaged property in favour of the said Corporation in case of loss by fire or lightning, in such companies as shall be approved by the said Corporation and by policies containing what is known as the "mortgage clause," and for the continuance of such insurance during the currency of the said bonds, said insurance to be for at least the amount of the bonds to be guaranteed as aforesaid together with the amount owing under the previous mortgage as aforesaid. And such mortgage shall also contain such further and other conditions or provisions for the protection of the said Corporation as in the opinion of the solicitor for the Corporation may be deemed necessary for that purpose.

4. Upon the said mortgage being executed and delivered as aforesaid the Mayor and Clerk shall execute a guarantee of the bonds as aforesaid, but the said bonds shall thereafter be held by the said Corporation in its sole control until disposed of at a price satisfactory to the Corporation and the Company, and the proceeds therefrom shall forthwith be deposited in a chartered bank in the Town of Goderich in a special account to the credit of the said Corporation and shall be paid out as hereinbefore mentioned.

5. That the said Goderich Organ Company shall pay all expenses whatsoever in respect to this By-law and all necessary steps to be taken in regards to it.

6. That this By-law shall take effect and come into force upon the date of the final passing thereof and upon the necessary legislation being passed by the Government of the Province of Ontario and the consent of the Ontario Municipal Board obtained.

Provisionally passed at the Council Chambers at the Town of Goderich this 10th day of December, A.D. 1934.

C. C. LEE,  
*Mayor.*

L. L. KNOX,  
*Clerk.*



## AGREEMENT

This Agreement made in duplicate this 3rd day of December, A.D. 1934.

BETWEEN:

THE CORPORATION OF THE TOWN OF GODERICH  
 (hereinafter called the "Corporation")  
 of the first part;

—and—

THE GODERICH ORGAN COMPANY, LIMITED (herein-  
 after called the "Company")  
 of the second part.

Whereas under By-law No. 38 of 1902 of the Town of Goderich, the Corporation issued debentures and loaned the Company the sum of Twenty-five Thousand Dollars (\$25,000) by way of a mortgage, which mortgage was to be repaid to the Corporation at the rate of Two Thousand Dollars (\$2,000) per annum, beginning with the year 1905;

And whereas the said Company has fallen in arrears with the said payments and at the end of the year 1933 such arrears of said mortgage with interest amounted to the sum of Eight Thousand, Nine Hundred and Eighty-eight Dollars and Eighty cents (\$8,988.80);

And whereas the amount of taxes on the property of the said Company owing to the said Corporation amount to Four Thousand, Eight Hundred and Five Dollars and Sixty-three cents (\$4,805.63) on the thirty-first day of December, 1933;

And whereas the said Company has requested further financial aid from the said Corporation by having the said Corporation guarantee the bonds of the said Company to the amount of Ten Thousand Dollars (\$10,000) in order to allow the Company to pay off its trade debts, and tax arrears as hereinbefore set forth;

And whereas the said Corporation is so financially interested in the said Company it is thought expedient to grant this request for further aid;

Now therefore this Agreement witnesseth that in consideration of the premises and of the covenants, provisoies and conditions hereinafter contained the parties hereto mutually covenant and agree as follows:

1. That the said Company shall issue bonds in its name for the sum of Ten Thousand Dollars (\$10,000) and the said Corporation to guarantee the repayment of said bonds and interest.

2. The proceeds of the sale of such bonds to be used as follows:

(a) A portion of the proceeds to be retained by the Town for the purpose of paying the said arrears of taxes on the property of the said Company including the taxes for the year 1934;

(b) Interest on Present Town of Goderich Mortgage to be paid to December 31, 1934;

(c) The balance of the proceeds to be retained by the Company for the purpose of paying off its trade debts, such payments to be approved of by the Corporation.

3. That the terms of this Agreement shall be subject to the Corporation passing a by-law setting out the terms of this Agreement, and having the same consented to by a vote of the ratepayers of the Corporation and the approval of the Provincial Government and The Ontario Municipal Board.



4. That the said Company will and does hereby agree to execute a new mortgage (or any other deed, indenture or agreement required) on its property to cover the bonds referred to in this agreement as well as the sum of Eight Thousand, Nine Hundred and Eighty-eight Dollars and Eighty cents (\$8,988.80), past due, under the mortgage now held by the Corporation. Such new mortgage or other deed or agreement, shall be prepared by the Solicitor for the Town of Goderich, and shall in addition to the terms herein set forth contain such other clauses and provisions as in the opinion of the Solicitor are requisite for the due protection of the said Corporation of the Town of Goderich.

5. Upon the said mortgage or other deed or agreement being executed and delivered as aforesaid, the Mayor and Clerk shall execute a guarantee of the bonds as aforesaid, but the said bonds shall thereafter be held by the said corporation in its sole control until disposed of at a price satisfactory to the Council and Company, and the proceeds thereof shall when sold be forthwith deposited in a chartered bank in the Town of Goderich, in a special account to the credit of the said Corporation, and shall be paid out as hereinbefore mentioned.

6. That the said Company will and hereby does agree to repay the Corporation the amount of the new mortgage in ten equal annual instalments with interest payable annually.

7. That the said Company shall pay the expenses incurred in the carrying out of the terms of this Agreement.

Witness the corporate seals of the said Corporation and Company and the hands of their proper officers.

SIGNED, SEALED AND DELIVERED }  
In the Presence of }  
} [Large blank space for signatures]



An Act respecting the Town of Goderich.

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. BALLANTYNE

(*Private Bill*)

No. 5

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the Town of Timmins.

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MR. ROWLANDSON

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(PRIVATE BILL)

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 5

1935

# BILL

An Act respecting the Town of Timmins.

**Preamble.**

**W**HEREAS the corporation of the town of Timmins has by petition represented that it is desirable to authorize the said corporation to pass by-laws fixing the poll tax at an amount not to exceed \$10 per annum; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

**1.** This Act may be cited as *The Town of Timmins Act, 1935.*

**Amount of annual poll tax.**

**2.** The council of the corporation of the town of Timmins may, by by-law, fix the poll tax payable under the provisions of section 2 of *The Statute Labour Act* at an amount not to exceed \$10 per annum.

**Rev. stat., c. 239.**

**Commencement of Act.**

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.



BILL

An Act respecting the Town of  
Timmins.

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. ROWLANDSON

(*Private Bill*)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the Township of Teck.

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MR. ROWLANDSON

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(PRIVATE BILL)

No. 6

1935

# BILL

## An Act respecting the Township of Teck.

**Preamble.**

**W**HEREAS the corporation of the township of Teck has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

1. This Act may be cited as *The Township of Teck Act, 1935.*

**By-law No. 715 and debentures confirmed.**

2. By-law number 715 of the corporation of the township of Teck passed on the 17th day of September, 1934, authorizing the issue of debentures for \$65,000 to meet the cost of the extension and construction of the waterworks and sewerage systems and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

**By-law No. 716 and debentures confirmed.**

3. By-law number 716 of the said corporation passed on the 17th day of September, 1934, authorizing the issue of debentures for \$6,400 to meet the cost of the extension and construction of the waterworks and sewerage systems and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

**Authority to pass by-laws for,—**

**Salary of Reeve.**

**Election of High School trustees.**

**Commencement of Act.**

4. The council of the said corporation is authorized to pass by-laws:

(a) for providing for payment to the Reeve of the corporation of a yearly salary of not more than \$1,500;

(b) for the election by ballot of the members of the High School Board of the said township and providing for their mode of election and retirement.

5. This Act shall come into force on the day upon which it receives the Royal Assent.



## SCHEDEULE

### THE MUNICIPAL CORPORATION OF THE TOWNSHIP OF TECK

#### BY-LAW NO. 715

Being a By-law for the borrowing of \$65,000.00 upon debentures for the extension and construction of the waterworks and sewerage systems within that part of the Township of Teck within the limits of the Township School Area of Kirkland Lake.

Whereas *The Township of Teck Act, 1927*, enacted that the Corporation may provide for the cost of any further expenditures for the alteration or extension of the water and sewerage systems in that part of the Township of Teck within the limits of Union School Section No. 2, Townships of Teck and Lebel as constituted on the 5th day of April, 1927 (now known and described as the Township School Area of Kirkland Lake), by a special levy, over and above all other rates each year during the currency of the debentures issued to meet such cost, on all the rateable property in that part of the Township of Teck within the limits of Union School Section No. 2, Townships of Teck and Lebel, as constituted on the 5th day of April, 1927 (now known and described as the Township School Area of Kirkland Lake);

And whereas by Agreement dated the 9th day of October, 1933, entered into between the Municipality and the Government of the Province of Ontario, the said Government of the Province of Ontario approved of the expenditure by the Municipality for relief purposes of the sum of \$135,128.71;

And whereas by Agreement dated the 7th day of December, 1933, entered into between the Municipality and the Government of the Province of Ontario, the said Government of the Province of Ontario agreed to guarantee debentures of the Municipality issued for relief purposes to the extent of \$65,000.00;

And whereas the said Agreement was approved by Order-in-Council passed on the 31st day of October, 1933;

And whereas the Municipal Council of the Corporation of the Township of Teck did by By-law authorize the construction of water and sewer mains on the following streets, namely:

	Labour	Material
King Street from Main St. to Wood St.....	\$2,582.00	\$450.00
Wood Street from King St. to Government Road.	29,049.50	13,178.60
Government Road from Wood St. to Septic Tank	1,936.60	300.00
Park Street from Poplar Ave. to Taylor Ave.....	1,291.00	150.00
Poplar Ave. from Wood St. to New School.....	6,455.00	2,300.00
Taylor Ave. from Wood St. to existing main....	17,976.30	5,897.26
McKelvie Ave. from Wood St. to existing main..	17,174.45	5,917.00
Pollock Ave. from Brookbank to Dixon Ave.....	6,659.50	2,487.85
Carter Ave. from Balsam to corner Dixon and Pollock.....	8,278.90	3,894.35
	\$92,403.64	\$34,575.06

And whereas it is necessary to borrow for the purposes above mentioned the sum of \$65,000.00, on the credit of the Corporation at large;

And whereas it is deemed proper that the rates for repayment of the aforesaid money shall be levied on all the rateable property in that portion



of the Township of Teck situate within the limits of the Township School Area of Kirkland Lake;

And whereas the amount of the whole rateable property of the Corporation, according to the last revised assessment roll is \$4,440,302.00;

And whereas the amount of the debenture debt of the Municipality is \$1,377,727.78, and the Municipality is not in default in payment of either principal or interest;

Now therefore the Municipal Council of the Corporation of the Township of Teck enacts as follows:

1. For the purposes aforementioned there shall be borrowed the sum of \$65,000.00, and debentures shall be issued therefor in sums of not less than \$100.00 bearing interest at the rate of four and one-half per cent. per annum and having coupons attached thereto for the payment of interest.

2. The debentures shall all bear the same date and shall be issued within two years from the day on which this By-law is passed and may bear any date within such two years and shall be payable in ten equal annual instalments of principal and interest during the ten years next after the time when the same are issued and the respective amounts of principal and interest payable in each of such years shall be in accordance with the Schedule annexed hereto and marked "A," which is hereby declared to be and to form part of this By-law.

3. The debentures, as to both principal and interest, shall be payable in Canadian funds and negotiable without charge at the Imperial Bank of Canada, Kirkland Lake Branch, or at the Head Office of the Imperial Bank of Canada at Toronto.

4. The debentures shall be signed by the Reeve and Treasurer of the Township and shall be sealed with the Corporate Seal of the Municipality. The coupons shall be signed by the Treasurer and his name may be written, lithographed or engraved.

5. During the ten years, the course of the said debentures, the sum of \$8,214.60 shall be raised annually for the payment of the debt and interest, and the said sum shall be levied and raised annually by separate rate therefor, over and above all other rates on that part of the rateable property of the Township of Teck situate within the limits of the Township School Area of Kirkland Lake, according to the last revised assessment roll, at the same time and in the same manner as other rates.

6. The debentures may contain a clause providing for the registration thereof, authorized by any statute relating to Municipal Debentures in force at the time of the issue thereof.

Read a first, second and third time and enacted and passed in open Council this Seventeenth day of September, A.D. 1934.

J. W. MCBAIN,  
*Clerk.*

GERALD D. O'MEARA,  
*Reeve.*



## BY-LAW NO. 715

*Schedule "A"*

Year	Principal	Interest	Total
1935.....	\$5,289.62	\$2,924.99	\$8,214.61
1936.....	5,527.66	2,686.96	8,214.62
1937.....	5,776.40	2,438.22	8,214.62
1938.....	6,036.34	2,178.28	8,214.62
1939.....	6,307.97	1,906.65	8,214.62
1940.....	6,591.83	1,622.79	8,214.62
1941.....	6,888.47	1,326.16	8,214.63
1942.....	7,198.45	1,016.18	8,214.63
1943.....	7,522.38	692.25	8,214.63
1944.....	7,860.88	353.74	8,214.62
	<hr/> \$65,000.00	<hr/> \$17,146.22	<hr/> \$82,146.22

GERALD D. O'MEARA.

J. W. MCBAIN.

THE MUNICIPAL CORPORATION OF THE TOWNSHIP  
OF TECK

## BY-LAW No. 716

Being a By-law for the borrowing of \$6,400.00 upon debentures for the extension and construction of the waterworks and sewerage systems within that part of the Township of Teck within the limits of the Township School Area of Kirkland Lake.

Whereas *The Township of Teck Act, 1927*, enacted that the Corporation may provide for the cost of any further expenditures for the alteration or extension of the water and sewerage systems in that part of the Township of Teck within the limits of Union School Section No. 2, Townships of Teck and Lebel as constituted on the 5th day of April, 1927 (now known and described as the Township School Area of Kirkland Lake), by a special levy, over and above all other rates each year during the currency of the debentures issued to meet such cost, on all the rateable property in that part of the Township of Teck within the limits of Union School Section No. 2, Townships of Teck and Lebel, as constituted on the 5th day of April, 1927 (now known and described as the Township School Area of Kirkland Lake);

And whereas by Agreement dated the 9th day of October, 1933, entered into between the Municipality and the Government of the Province of Ontario, the said Government of the Province of Ontario approved of the expenditure by the Municipality for relief purposes of the sum of \$135,128.71;

And whereas the Municipal Council of the Corporation of the Township of Teck did by By-law authorize the construction of water and sewer mains on the following streets, namely:

	Labour	Material
King St. from Main St. to Wood St.....	\$2,582.00	\$450.00
Wood St. from King St. to Government Road...	29,049.50	13,178.60
Government Road from Wood St. to Septic Tank	1,936.60	300.00
Park St. from Poplar Ave. to Taylor Ave.....	1,291.00	150.00
Poplar Ave. from Wood St. to New School.....	6,455.00	2,300.00
Taylor Ave. from Wood St. to existing main....	17,976.30	5,897.26
McKelvie Ave. from Wood St. to existing main..	18,174.45	5,917.00
Pollock Ave. from Brookbank to Dixon Ave....	6,659.50	2,487.85
Carter Ave. from Balsam to corner Dixon and Pollock.....	8,278.90	3,894.35
	<hr/> \$92,403.64	<hr/> \$34,575.06



And whereas the Municipal Council of the Corporation of the Township of Teck did on the seventeenth day of September, 1934, pass a By-law for the purpose of borrowing \$65,000.00 on debentures on the credit of the Corporation for the installation of watermains and sewers on the streets above described;

And whereas in order to provide for payment of the total cost of the said works, it is necessary to borrow an additional sum of \$6,400.00 upon debentures;

And whereas it is deemed proper that the rates for repayment of the aforesaid money shall be levied on all the rateable property in that portion of the Township of Teck situate within the limits of the Township School area of Kirkland Lake;

And whereas the amount of the whole rateable property of the Corporation, according to the last revised assessment roll is \$4,440,302.00;

And whereas the amount of the debenture debt of the Municipality is \$1,377,727.78 and the Municipality is not in default in payment of either principal or interest;

Now therefore the Municipal Council of the Corporation of the Township of Teck enacts as follows:

1. For the purposes aforementioned there shall be borrowed the sum of \$6,400.00 and debentures shall be issued at the rate of six per cent. per annum and having coupons attached thereto for the payment of interest.

2. The debentures shall all bear the same date and shall be issued within two years from the day on which this By-law is passed and may bear any date within such two years, and shall be payable in ten equal annual instalments of principal and interest during the ten years next after the time when the same are issued and the respective amounts of principal and interest payable in each of such years shall be in accordance with the Schedule annexed hereto and marked "A," which is hereby declared to be and to form part of this By-law.

3. The debentures, as to both principal and interest, shall be payable in Canadian funds and negotiable without charge at the Imperial Bank of Canada, Kirkland Lake Branch, or at the Head Office of the Imperial Bank of Canada.

4. The debentures shall be signed by the Reeve and Treasurer of the Township and shall be sealed with the Corporate Seal of the Municipality. The coupons shall be signed by the Treasurer and his name may be written, lithographed or engraved.

5. During the ten years, the course of the said debentures, the sum of \$869.56 shall be raised annually for the payment of the debt and interest, and the said sum shall be levied and raised annually by separate rate therefor over and above all other rates on that part of the rateable property of the Township of Teck situate within the limits of the Township School Area of Kirkland Lake, according to the last revised assessment roll, at the same time and in the same manner as other rates.

6. The debentures may contain a clause providing for the registration thereof, authorized by any statute relating to Municipal Debentures in force at the time of the issue thereof.

Read a first, second and third time and enacted and passed in open Council this seventeenth day of September, A.D. 1934.

J. W. MCBAIN,  
*Clerk.*

GERALD D. O'MEARA,  
*Reeve.*



## BY-LAW No. 716

*Schedule "A"*

Year	Principal	Interest	Total
1935.....	\$485.55	\$383.96	\$869.51
1936.....	514.69	354.83	869.52
1937.....	545.57	323.95	869.52
1938.....	578.30	291.22	869.52
1939.....	613.00	256.53	869.53
1940.....	648.78	219.75	869.53
1941.....	688.77	180.77	869.53
1942.....	730.10	139.45	869.55
1943.....	773.90	95.65	869.55
1944.....	820.34	49.22	869.56
	<hr/> \$6,400.00	<hr/> \$2,295.33	<hr/> \$8,695.33

GERALD D. O'MEARA.

J. W. MCBAIN.

(Corporation  
Seal)







BILL

An Act respecting the Township of  
Teck.

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. ROWLANDSON

(*Private Bill*)

No. 6

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the Township of Teck.

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MR. ROWLANDSON

---

(PRIVATE BILL)

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 6

1935

# BILL

## An Act respecting the Township of Teck.

Preamble.

**W**HEREAS the corporation of the township of Teck has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Teck Act, 1935.*

By-law  
No. 715 and  
debentures  
confirmed.

2. By-law number 715 of the corporation of the township of Teck passed on the 17th day of September, 1934, authorizing the issue of debentures for \$65,000 to meet the cost of the extension and construction of the waterworks and sewerage systems and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law  
No. 716 and  
debentures  
confirmed.

3. By-law number 716 of the said corporation passed on the 17th day of September, 1934, authorizing the issue of debentures for \$6,400 to meet the cost of the extension and construction of the waterworks and sewerage systems and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Authority  
to pass  
by-laws  
for,—

4.—(1) The council of the said corporation is authorized to pass by-laws:

Salary of  
Reeve.

(a) for providing for payment to the Reeve of the corporation of a yearly salary of not more than \$1,500;

Election of  
High School  
trustees.

(b) for the election by ballot of the members of the High School Board of the said township and providing for their mode of election and retirement.



Approval of  
Minister of  
Education  
requisite.

(2) No by-law shall be passed under the provisions of clause *b* of subsection 1 or take affect unless the same has first been approved by the Minister of Education for Ontario.

Commencement of  
Act.

5. This Act shall come into force on the day upon which it receives the Royal Assent.







BILL

An Act respecting the Township of  
Teck.

*1st Reading*

March 5th, 1935

*2nd Reading*

*3rd Reading*

MR. ROWLANDSON

(Reprinted as amended by the Private Bills  
Committee)

No. 6

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

---

## BILL

An Act respecting the Township of Teck.

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MR. ROWLANDSON

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 6

1935

# BILL

## An Act respecting the Township of Teck.

Preamble.

**W**HEREAS the corporation of the township of Teck has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of Teck Act, 1935.*

By-law  
No. 715 and  
debentures  
confirmed.

2. By-law number 715 of the corporation of the township of Teck passed on the 17th day of September, 1934, authorizing the issue of debentures for \$65,000 to meet the cost of the extension and construction of the waterworks and sewerage systems and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

By-law  
No. 716 and  
debentures  
confirmed.

3. By-law number 716 of the said corporation passed on the 17th day of September, 1934, authorizing the issue of debentures for \$6,400 to meet the cost of the extension and construction of the waterworks and sewerage systems and all debentures issued or to be issued thereunder are hereby confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof.

Authority  
to pass  
by-laws  
for,—

4.—(1) The council of the said corporation is authorized to pass by-laws:

Salary of  
Reeve.

(a) for providing for payment to the Reeve of the corporation of a yearly salary of not more than \$1,500;

Election of  
High School  
trustees.

(b) for the election by ballot of the members of the High School Board of the said township and providing for their mode of election and retirement.

(2) No by-law shall be passed under the provisions of clause *b* of subsection 1 or take affect unless the same has first been approved by the Minister of Education for Ontario.

**5.** This Act shall come into force on the day upon which it receives the Royal Assent.

BILL

An Act respecting the Township of  
Teck.

---

*1st Reading*

March 5th, 1935

*2nd Reading*

March 25th, 1935

*3rd Reading*

April 1st, 1935

---

MR. ROWLANDSON

---

No. 7

---

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

---

## BILL

An Act respecting Huron College.

---

MR. DUNCAN

---

(PRIVATE BILL)

---

TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 7

1935

# BILL

## An Act respecting Huron College.

Preamble.

**W**HÈREAS Huron College has by its petition represented that it is desirable to increase the number of members of its Council in the manner set forth in this Act; and whereas the council of the said College, the incorporated Synod of the Diocese of Huron, the Colonial and Continental Church Society of London, England, and the Alumni of Huron College, the only bodies affected have consented thereto; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Huron College Act, 1935*.

1906,  
c. 139, s. 1,  
and 1922,  
c. 150, s. 6,  
re-enacted.

2. Section 1 of the Act to amend the constitution of Huron College, being chapter 139 of the Statutes of Ontario, 1906, as amended by section 6 of the Act to amend the constitution of Huron College being chapter 150 of the Statutes of Ontario, 1922, is repealed and the following substituted therefor:

Appoint-  
ment of  
members  
of the  
Council of  
the College.

1.—(1) Notwithstanding anything contained in the said Acts of incorporation of Huron College, or in the said three indentures or any of them, or in the rules or by-laws of the said College, or in the Act to amend the constitution of Huron College being chapter 150 of the Statutes of Ontario, 1922, or otherwise, the method of appointing the members of the council of Huron College and also of appointing the principal thereof in case of future vacancies shall be as follows, to wit:

Number of  
members.

(2) The members of the said council shall eventually number not less than twenty-two and not more than twenty-six (exclusive of the Bishop of the Diocese of Huron for the time being and the Principal of the College for the time being, each of whom shall always be a member of the Council, ex-officio) of whom ten shall be clergy and not less than twelve



and not more than sixteen shall be laity, and further eight of the said members shall always consist of members of the present existing council, or members co-opted by the survivors of the present existing council, or by the survivors of members so co-opted, while the remaining members of the council, exclusive of the Bishop and Principal, shall consist of eight members elected by the Incorporated Synod of the Diocese of Huron, and two members elected by the Alumni of Huron College and the remaining lay members elected by the council of Huron College in manner hereinafter provided.

**Co-opted  
members.**

The present members of the council shall continue in office and when, by death or otherwise, their number shall have been reduced below eight (exclusive of the Bishop and the Principal and exclusive also of the Synod members, and of the members elected by the Alumni, hereinafter referred to as the Alumni members, and the lay members elected by the council in manner hereinafter provided) then and in such case and so often as the same shall happen the remaining members of the council (other than the Synod members and the Alumni members and the lay members elected by the Council in manner hereinafter provided) shall as soon as conveniently may be, at a meeting to be holden separately for that purpose (of which notice shall be given in such manner as shall be provided by by-law) elect one or more fit and proper person or persons to be a member or members of the council, in addition to the remaining members thereof, in the place and stead of those who have ceased to be such members, having regard in such election to the provisions hereinbefore contained as to the relative proportion of clergy and laity in the said council.

From and after the election of the four lay members by the council in manner hereinafter provided the council shall consist of not less than seven nor more than twenty-six members, exclusive of the Bishop and Principal.

**Lay  
members.**

- (3) At any regularly called meeting next ensuing the passing of this Act, or at any adjournment thereof, not less than four lay members and not more than eight lay members shall be elected by the council of Huron College, and shall hold office for the following respective terms, namely: two members for terms of two years each, and two members for terms of four



years each and any members elected in excess of the said four members shall be elected for terms of not less than one year and not more than four years, the term for each of such members (other than the said four members) to be in the discretion of the council.

Additional  
lay  
members.

- (4) In the event of the number of members elected in accordance with subsection 3 being less than eight, the council may at any regularly called meeting of the council or at a meeting specially called for the purpose elect sufficient lay members to make a total of not more than eight, the term for which each member shall be elected to be a term of not less than one year and not more than four years and the term of each member to be in the discretion of the council.

Vacancies  
in lay  
membership.

- (5) For the purpose of filling vacancies in the numbers of lay members elected by the council in accordance with the provisions of this section, the council may at any regular meeting or at a meeting called for the purpose elect necessary new lay members to increase the total number of lay members to not less than four and not more than eight, such member or members to be elected for a term of not less than one year and not more than four years, the term of each member to be in the discretion of the council.

Eligibility  
of  
lay members  
for  
re-election.

- (6) Any lay member elected in accordance with the provisions of this section shall be eligible for re-election.

Synod  
members.

- (7) The Synod members shall consist of four clergymen and our laymen who shall be members of the said Synod at the time of their election, and shall be elected and hold office for the following respective terms, namely: One clergyman and one layman for one year, one clergyman and one layman for two years, one clergyman and one layman for three years, and one clergyman and one layman for four years, any broken period of a year intervening between the date of such election and the date of termination of the official year, hereinafter defined, to be deemed a year within the meaning of this clause.

Term of  
office of  
Synod  
members.

- (8) The date of the termination of the official year, on which the periods of office of the Synod members shall respectively terminate, shall be the first day of June; retiring Synod members shall be eligible for re-election.



Vacancies in  
Synod  
members.

- (9) For the purpose of filling vacancies in the numbers of the Synod members, the said Synod shall, at its annual meeting, in each successive year subsequent to the first election of the Synod members, elect two new members of the council, in the place and stead of the two Synod members whose term of office has expired by lapse of time, one of such members being a clergyman and one a layman, and both being members of the Synod at the time of their election, and such two new members shall respectively hold office for the term of four years. The said Synod shall at the same time fill all such vacancies as shall have occurred in the numbers of the Synod members by death, resignation or otherwise than by lapse of time, by the election of the necessary numbers of additional new members, who shall be members of the Synod at the time of their election. Such additional members shall be elected respectively for terms of office equivalent to the unexpired terms of the respective members whose places they are elected to fill; and in such elections regard shall be had to the provision hereinbefore contained as to the relative proportion of clergy and laity in the said council.

Alumni  
members,—  
election,  
term of  
office and  
qualification.

- (10) The two members of the council elected by the Alumni of the College shall continue to be elected at their annual meetings and to hold office for two years from the times of their respective elections and only duly ordained and strictly Protestant and Evangelical clergymen of the Church of England in Canada who hold the license of the Bishop of Huron and are not salaried employees of the College shall be eligible for election by the Alumni as aforesaid, and each member so elected shall before acting conform to all rules and regulations that are in force in respect of the remaining members of the council.

Alumni  
members,—  
when  
ineligible for  
re-election.

- (11) No member elected by the Alumni as aforesaid shall be eligible for re-election until at least one year has elapsed since the termination of his last term of office.

Declaration  
of vacancies  
and the  
filling of  
same.

- (12) If at any time whether by reason of mental or physical infirmity or otherwise any member of the council, other than the Bishop or the Principal, fails to attend the regular meetings of the council for at least one year, the council may by resolution declare the seat of such member to be vacant and thereupon the term of office of such member shall terminate, and it shall be lawful for the council to take the necessary steps to elect a member in the place and



stead of the said last mentioned member for the residue of the term of his office.

1922,, c. 150,  
ss. 1 to 6,  
repealed. **3.** Sections 1, 2, 3, 4, 5 and 6 of the said chapter 150 of the Statutes of Ontario, 1922, are hereby repealed.

Commence-  
ment of Act. **4.** This Act shall come into force on the day upon which it receives the Royal Assent.



BILL

An Act respecting Huron College.

---

*1st Reading*

*2nd Reading*

*3rd Reading*

---

MR. DUNCAN

---

(*Private Bill*)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

---

# BILL

An Act respecting Huron College.

---

MR. DUNCAN

---

No. 7

1935

# BILL

## An Act respecting Huron College.

Preamble.

**W**HEREAS Huron College has by its petition represented that it is desirable to increase the number of members of its Council in the manner set forth in this Act; and whereas the council of the said College, the incorporated Synod of the Diocese of Huron, the Colonial and Continental Church Society of London, England, and the Alumni of Huron College, the only bodies affected have consented thereto; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Huron College Act, 1935.*

1906,  
c. 139, s. 1,  
and 1922,  
c. 150, s. 6,  
re-enacted.

2. Section 1 of the Act to amend the constitution of Huron College, being chapter 139 of the Statutes of Ontario, 1906, as amended by section 6 of the Act to amend the constitution of Huron College being chapter 150 of the Statutes of Ontario, 1922, is repealed and the following substituted therefor:

Appoint-  
ment of  
members  
of the  
Council of  
the College.

1.—(1) Notwithstanding anything contained in the said Acts of incorporation of Huron College, or in the said three indentures or any of them, or in the rules or by-laws of the said College, or in the Act to amend the constitution of Huron College being chapter 150 of the Statutes of Ontario, 1922, or otherwise, the method of appointing the members of the council of Huron College and also of appointing the principal thereof in case of future vacancies shall be as follows, to wit:

Number of  
members.

(2) The members of the said council shall eventually number not less than twenty-two and not more than twenty-six (exclusive of the Bishop of the Diocese of Huron for the time being and the Principal of the College for the time being, each of whom shall always be a member of the Council, ex-officio) of whom ten shall be clergy and not less than twelve

and not more than sixteen shall be laity, and further eight of the said members shall always consist of members of the present existing council, or members co-opted by the survivors of the present existing council, or by the survivors of members so co-opted, while the remaining members of the council, exclusive of the Bishop and Principal, shall consist of eight members elected by the Incorporated Synod of the Diocese of Huron, and two members elected by the Alumni of Huron College and the remaining lay members elected by the council of Huron College in manner hereinafter provided.

The present members of the council shall continue in office and when, by death or otherwise, their number shall have been reduced below eight (exclusive of the Bishop and the Principal and exclusive also of the Synod members, and of the members elected by the Alumni, hereinafter referred to as the Alumni members, and the lay members elected by the council in manner hereinafter provided) then and in such case and so often as the same shall happen the remaining members of the council (other than the Synod members and the Alumni members and the lay members elected by the Council in manner hereinafter provided) shall as soon as conveniently may be, at a meeting to be holden separately for that purpose (of which notice shall be given in such manner as shall be provided by by-law) elect one or more fit and proper person or persons to be a member or members of the council, in addition to the remaining members thereof, in the place and stead of those who have ceased to be such members, having regard in such election to the provisions hereinbefore contained as to the relative proportion of clergy and laity in the said council.

From and after the election of the four lay members by the council in manner hereinafter provided the council shall consist of not less than seven nor more than twenty-six members, exclusive of the Bishop and Principal.

- (3) At any regularly called meeting next ensuing the passing of this Act, or at any adjournment thereof, not less than four lay members and not more than eight lay members shall be elected by the council of Huron College, and shall hold office for the following respective terms, namely: two members for terms of two years each, and two members for terms of four

years each and any members elected in excess of the said four members shall be elected for terms of not less than one year and not more than four years, the term for each of such members (other than the said four members) to be in the discretion of the council.

Additional  
lay  
members.

- (4) In the event of the number of members elected in accordance with subsection 3 being less than eight, the council may at any regularly called meeting of the council or at a meeting specially called for the purpose elect sufficient lay members to make a total of not more than eight, the term for which each member shall be elected to be a term of not less than one year and not more than four years and the term of each member to be in the discretion of the council.

Vacancies  
in lay  
membership.

- (5) For the purpose of filling vacancies in the numbers of lay members elected by the council in accordance with the provisions of this section, the council may at any regular meeting or at a meeting called for the purpose elect necessary new lay members to increase the total number of lay members to not less than four and not more than eight, such member or members to be elected for a term of not less than one year and not more than four years, the term of each member to be in the discretion of the council.

Eligibility of  
lay members  
for  
re-election.

- (6) Any lay member elected in accordance with the provisions of this section shall be eligible for re-election.

Synod  
members.

- (7) The Synod members shall consist of four clergymen and four laymen who shall be members of the said Synod at the time of their election, and shall be elected and hold office for the following respective terms, namely: One clergyman and one layman for one year, one clergyman and one layman for two years, one clergyman and one layman for three years, and one clergyman and one layman for four years, any broken period of a year intervening between the date of such election and the date of termination of the official year, hereinafter defined, to be deemed a year within the meaning of this clause.

Term of  
office of  
Synod  
members.

- (8) The date of the termination of the official year, on which the periods of office of the Synod members shall respectively terminate, shall be the first day of June; retiring Synod members shall be eligible for re-election.

- (9) For the purpose of filling vacancies in the numbers of Vacancies in  
 the Synod members, the said Synod shall, at its annual Synod members.  
 meeting, in each successive year subsequent to the first election of the Synod members, elect two new members of the council, in the place and stead of the two Synod members whose term of office has expired by lapse of time, one of such members being a clergyman and one a layman, and both being members of the Synod at the time of their election, and such two new members shall respectively hold office for the term of four years. The said Synod shall at the same time fill all such vacancies as shall have occurred in the numbers of the Synod members by death, resignation or otherwise than by lapse of time, by the election of the necessary numbers of additional new members, who shall be members of the Synod at the time of their election. Such additional members shall be elected respectively for terms of office equivalent to the unexpired terms of the respective members whose places they are elected to fill; and in such elections regard shall be had to the provision hereinbefore contained as to the relative proportion of clergy and laity in the said council.
- (10) The two members of the council elected by the Alumni members,—  
 Alumni of the College shall continue to be elected at election,  
 their annual meetings and to hold office for two years term of  
 from the times of their respective elections and only office and  
 duly ordained and strictly Protestant and Evangelical qualification.  
 clergymen of the Church of England in Canada who hold the license of the Bishop of Huron and are not salaried employees of the College shall be eligible for election by the Alumni as aforesaid, and each member so elected shall before acting conform to all rules and regulations that are in force in respect of the remaining members of the council.
- (11) No member elected by the Alumni as aforesaid shall Alumni members,—  
 be eligible for re-election until at least one year has when  
 elapsed since the termination of his last term of office. ineligible for re-election.
- (12) If at any time whether by reason of mental or Declaration  
 physical infirmity or otherwise any member of the of vacancies  
 council, other than the Bishop or the Principal, fails and the  
 to attend the regular meetings of the council for at filling of  
 least one year, the council may by resolution declare the same.  
 the seat of such member to be vacant and thereupon the term of office of such member shall terminate, and it shall be lawful for the council to take the necessary steps to elect a member in the place and

stead of the said last mentioned member for the residue of the term of his office.

1922, c. 150,  
ss. 1 to 6,  
repealed. **3.** Sections 1, 2, 3, 4, 5 and 6 of the said chapter 150 of the Statutes of Ontario, 1922, are hereby repealed.

Commence-  
ment of Act. **4.** This Act shall come into force on the day upon which it receives the Royal Assent.



BILL

An Act respecting Huron College.

---

*1st Reading*

March 8th, 1935

*2nd Reading*

March 25th, 1935

*3rd Reading*

April 1st, 1935

---

MR. DUNCAN

---

No. 8

---

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

---

# BILL

An Act respecting the Village of Hastings.

---

MR. CARR

---

(PRIVATE BILL)

---

TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 8

1935

# BILL

An Act respecting the Village of Hastings.

Preamble.

**W**HEREAS the corporation of the village of Hastings has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Village of Hastings Act, 1935.*

By-law  
No. 744 and  
agreement  
with The  
Breithaupt  
Leather  
Company,  
Limited,  
for fixed  
assessment  
confirmed.

**2.** By-law No. 744 of the corporation of the village of Hastings passed on the 15th day of January, 1935, and the agreement dated the 7th day of December, 1934, made between the said corporation and The Breithaupt Leather Company, Limited, both relating to the granting of a fixed assessment of the said company, are and each of them is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and the said company and its successors and assigns.

Commencement  
of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.



**VILLAGE OF HASTINGS**  
**BY-LAW NUMBER 744**

A BY-LAW to grant a fixed assessment to The Breithaupt Leather Company, Limited, and to authorize an agreement for that purpose.

Whereas the Council of the Corporation of the Village of Hastings deems it advisable and in the interest of the Corporation to aid The Breithaupt Leather Company, Limited, by fixing its assessment for the years 1935 to 1944, both inclusive, upon the terms and conditions set forth in a certain proposed agreement between the Corporation and the said Company.

Now therefore the Council of the Corporation of the Village of Hastings enacts as follows:

1. That the Corporation of the Village of Hastings be and it is hereby authorized to enter into a certain proposed agreement with The Breithaupt Leather Company, Limited, a copy of which agreement is hereto annexed and is hereby declared to be and form part of this By-law.

2. That the Mayor and Clerk are and each of them is hereby authorized and empowered to sign and deliver the said agreement on behalf of the said Corporation and the said Clerk is hereby authorized and empowered to affix the corporate seal to the said agreement.

3. Upon the execution and delivery of the said agreement by the Corporation and The Breithaupt Leather Company, Limited, but subject to the terms and conditions thereof, the assessment in respect of all the lands, buildings and other assessable property of The Breithaupt Leather Company, Limited, and all the property of the said Company which may be hereafter acquired in the said Village of Hastings (excepting, however, dwelling houses, residences and boarding houses), for all purposes including business assessment save and except for taxation for school purposes, power, lighting and water rates and local improvement rates at the sum of \$7,000.00 for each of the years 1935 to 1944, both inclusive, in accordance with the terms and conditions of the said agreement and save as aforesaid The Breithaupt Leather Company, Limited, and the said lands and premises and the buildings, plant, machinery, fixtures and other assessable property used or to be used thereon in connection with the business of the said Company shall be exempt from taxation by the Corporation for the years 1935 to 1944, both inclusive.

Passed this 15th day of January, 1935.

J. H. HESS,  
*Reeve.*

J. M. BAKER,  
*Clerk.*

THIS AGREEMENT made in duplicate this Seventh day of December, One thousand nine hundred and thirty-four.

BETWEEN

THE CORPORATION OF THE VILLAGE OF HASTINGS  
(hereinafter called the "Corporation"), of the first part;  
—and—

THE BREITHAUPt LEATHER COMPANY, LIMITED  
(hereinafter called the "Company"), of the second part.

Whereas the Company has applied to the Corporation for a fixed assessment in respect of the lands and premises hereinafter described for



all purposes including business assessment (but save and except and excluding taxation for school purposes, local improvement rates, power, lighting and water rates), and it is expedient to grant the same upon the terms and conditions hereinafter set forth.

Now therefore this Agreement witnesseth that in consideration of the premises and of the covenants herein expressed, the parties hereto covenant and agree each with the other as follows, that is to say:

1. The Company, during the whole period of the term of the fixed assessment herein granted namely, from the first day of January, 1935, to the 31st day of December, 1944, will continuously carry on its business of tanning leather, save and except for such periods of cessation and shutting down as are reasonably incidental to the nature of the Company's business or as may be caused by strikes of the Company's workmen or other circumstances beyond the reasonable control of the Company.

2. The Corporation, subject to the limitations in this agreement hereinafter expressed, agrees that the assessment of all the lands, buildings and other assessable property of The Breithaupt Leather Company, Limited, and all the property of the said Company which may be hereafter acquired in the said Village of Hastings (excepting, however, dwelling houses, residences and boarding houses), and all other assessable property used thereon in connection with the business of the Company shall be fixed for all purposes including business assessment (but save and except and excluding taxation for school purposes, local improvement rates, power, lighting and water rates) at the sum of \$7,000.00 for each of the years 1935 to 1944, both inclusive, and that save and subject as aforesaid the said lands and premises, buildings, plant, machinery, fixtures and all other assessable property used or to be used thereon in connection with the said business shall be exempt for the years 1935 to 1944, both inclusive, from further taxation by the Corporation; provided that notwithstanding the said fixed assessment and partial exemption from taxation granted to the Company by this agreement, the said lands and premises shall be annually assessed during the said period of ten years in the same manner as if this agreement had not been made and the taxes rated thereon for all purposes shall be duly entered on the collector's roll from year to year during the said term but the said taxes including business taxes (save and except and excluding taxation for school purposes, local improvement rates, power, lighting and water rates) shall not be collected during any year of the said period of ten years or any greater part of the said assessment than the sum hereinbefore fixed unless the Company shall have made default in the terms, provisoese and conditions of this agreement or any of them, and, in the event of such default the whole of the taxes for the year in which such default occurs shall immediately become due and payable and may be collected by the Corporation as if this agreement had not been made but the Company shall not be subject to any other penalty in respect of such default.

3. The Company, at all times during the said period, will give preference to residents of the Village of Hastings when engaging employees for its plant and will use its best endeavours to induce non-resident employees to become residents of the said Village.

4. If at any time hereafter the Corporation desires to pass a by-law granting a bonus or fixed assessment in respect of a branch of the industry the same as or of a nature similar to the one to be carried on by the Company, the Company as evidenced by its execution of these presents hereby consents to the granting of such bonus or fixed assessment and no further or other consent requisite under *The Bonus Limitations Act, The Municipal Act* or amendments thereto shall be deemed to be necessary therefor but in any event the Company agrees to execute such consent if required by the Corporation.

5. The Company, at all times during the said period, will insure and keep insured its factory and buildings, plant, machinery and equipment to an amount approved in writing by the Corporation and if at any time during the said period the said factory and buildings, plant, machinery and equipment shall be wholly or partially destroyed by fire or other agency then and in such event and as often as the same may happen the



Company, if it desires and is to continue to receive the benefits of this agreement, shall proceed at once to rebuild and restore or repair the said factory and buildings, plant, machinery and equipment so as to make the same available at the earliest reasonable time for the purposes of its business on its said property and in the event of default of the Company to so rebuild, repair and restore the Company shall cease to be entitled to the exemption herein provided but shall not be subject to any other penalty in respect thereof.

6. If the Company ceases to carry on its business upon the said lands and premises for any cause or to any extent prior to the said 31st day of December, 1944, the Company shall not be entitled to any fixed assessment or partial exemption from taxation under this agreement and the benefits to the Company hereunder shall cease and be determined.

7. In the event of the Company letting or assigning any portion of its said lands and premises or permitting any person, firm or corporation to occupy any portion of the said lands and premises then upon occupation thereof by any person, firm or corporation other than the Company such portion shall be excluded during the term of its occupation by such person, firm or corporation from the benefits of this agreement and such portion while so occupied and such person, firm or corporation while so occupying shall be subject to all the incidents of assessment pursuant to the provisions of *The Assessment Act* and such letting, assignment or occupation shall not operate to reduce or in any way affect the amount of the fixed assessment and partial exemption enjoyed by the Company hereunder.

8. The Company during the said period, save and except for such periods of cessation and shutting down as are reasonably incidental to the nature of the Company's business but not exceeding altogether more than sixty days in any one year, and except for such periods of shutting down as shall be caused by strikes of the Company's workmen or other circumstances beyond the reasonable control of the Company, will employ continuously in its business in the Village of Hastings an average of at least 30 employees, exclusive of office staff, travellers and salaried officers of the Company, and will pay in wages to such employees in each year during the said period the sum of not less than \$25,000.00 subject, however, to a proportionate reduction for any period in which the said business is not operating by reason of cessation, strikes or other circumstances beyond the reasonable control of the Company as aforesaid.

9. The Company agrees that the auditors of the Corporation or any person or persons appointed by resolution of the Council for that purpose shall at any time during the months of January and February in each year have free and full access to the books of accounts, statements, and by-laws of the Company for the purpose of ascertaining the number of employees continuously employed and the amount paid in wages by the Company during the year ending on the then preceding 31st day of December.

10. The Company agrees to pay all expenses which may be incurred by the Corporation in connection with the granting of the fixed assessment and of the submission of the by-law and agreement to the qualified electors and of any legislative ratification that may be required or obtained.

11. This agreement shall enure to the benefit of and be binding upon the successors and assigns of the parties hereto but any assignment of this agreement by the Company shall not be of any force or effect or of any benefit to its assignee until the same is consented to by by-law of the Corporation.

12. This agreement shall come into force and take effect only from and after the final passing of a by-law of the Corporation authorizing its execution, sealing and delivery but if the said by-law shall not be finally passed this agreement shall be void and of no binding effect upon the parties hereto.



Witness the corporate seal of the Company and the seal of the Corporation each under the hands of its own proper officers.

Signed, Sealed and Delivered, } J. H. HESS,  
In the presence of: } Reeve.  
J. M. BAKER, Clerk.



BILL

An Act respecting the Village of  
Hastings.

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. CARR

(*Private Bill*)

No. 8

---

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the Village of Hastings.

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MR. CARR

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 8

1935

# BILL

An Act respecting the Village of Hastings.

Preamble.

**W**HEREAS the corporation of the village of Hastings has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Village of Hastings Act, 1935.*

By-law  
No. 744 and  
agreement  
with The  
Breithaupt  
Leather  
Company,  
Limited,  
for fixed  
assessment  
confirmed.

**2.** By-law No. 744 of the corporation of the village of Hastings passed on the 15th day of January, 1935, and the agreement dated the 7th day of December, 1934, made between the said corporation and The Breithaupt Leather Company, Limited, both relating to the granting of a fixed assessment of the said company, are and each of them is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and the said company and its successors and assigns.

Commencement  
of  
Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.



BILL

An Act respecting the Village of  
Hastings.

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*1st Reading*

February 28th, 1935

*2nd Reading*

March 29th, 1935

*3rd Reading*

April 3rd, 1935

---

MR. CARR

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No. 9

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the City of Ottawa.

---

MR. ELLIS

---

(PRIVATE BILL)

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 9

1935

# BILL

## An Act respecting the City of Ottawa.

Preamble.

**W**HEREAS the corporation of the city of Ottawa has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The City of Ottawa Act, 1935.*

Authority  
to issue  
debentures  
for  
Elgin Street  
widening.

**2.**—(1) The corporation of the city of Ottawa may provide by by-law to be passed without obtaining the assent of the electors of the said city qualified to vote on money by-laws, for an issue of debentures amounting to \$875,000 and payable within ten years from their date for the purpose of discharging the indebtedness of the corporation incurred in widening Elgin Street between Albert Street and Laurier Avenue.

Debenture  
interest.

(2) The said debentures shall bear interest at such rate as the council of the said corporation shall, by by-law, determine and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act.*

Rev. stat.,  
c. 233.

**3.**—(3) No irregularity in the form of any of the said debentures or in the by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof, or any part thereof, or the interest thereon.

Irregularities  
not to  
invalidate.  
Confirmation  
of tax sales  
and con-  
veyances.

**3.**—(1) All sales of land made or purporting to have been made during the year 1933 by the corporation of the city of Ottawa or by its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold, executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said lands to the purchaser thereof, his heirs and assigns, or to the said corporation, shall have the effect of vesting such



land in the purchaser or his heirs and assigns and his heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, and of and from all charges and encumbrances thereon and dower therein, except taxes accruing after those for the non-payment of which such land was sold; provided that in the case of land registered under *The Land Titles Act*, the transfer of such land shall be completed by the proper master of titles entering on the register the transferee as owner of the land transferred and, until such entry is made, the land shall not vest in the transferee, and provided that the master of titles shall not be required to give the notice prescribed by section 66 of *The Land Titles Act* before making such entry.

Rev. stat.  
c. 158.

Pending  
litigation  
not  
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon, in the same manner and as fully and effectually as if this Act had not been passed.

Extended  
application  
of 1934,  
c. 89, s. 8.

**4.** The council of the said corporation may by by-law extend the application of any by-law passed under the authority of section 8 of *The City of Ottawa Act, 1934*, to all dwellings erected during the year 1935 and in respect of which an assessment is imposed during such year.

Commencement  
of  
Act.

**5.** This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1935.







BILL

An Act respecting the City of Ottawa.

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. ELLIS

(*Private Bill*)

NO. 9

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the City of Ottawa.

---

MR. ELLIS

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(PRIVATE BILL)

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 9

1935

# BILL

## An Act respecting the City of Ottawa.

Preamble.

**W**HEREAS the corporation of the city of Ottawa has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Ottawa Act, 1935*.

Authority  
to issue  
debentures  
for  
Elgin Street  
widening.

2.—(1) The corporation of the city of Ottawa may provide by by-law to be passed without obtaining the assent of the electors of the said city qualified to vote on money by-laws, for an issue of debentures amounting to \$875,000 and payable within ten years from their date for the purpose of discharging the indebtedness of the corporation incurred in widening Elgin Street between Albert Street and Laurier Avenue.

Debenture  
interest.

(2) The said debentures shall bear interest at such rate as the council of the said corporation shall, by by-law, determine and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*.

Rev. stat.,  
c. 233.

Irregularities  
not to  
invalidate.

(3) No irregularity in the form of any of the said debentures or in the by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof, or any part thereof, or the interest thereon.

Confirmation  
of tax sales  
and con-  
veyances.

3.—(1) All sales of land made or purporting to have been made during the year 1933 by the corporation of the city of Ottawa or by its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold, executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said lands to the purchaser thereof, his heirs and assigns, or to the said corporation, shall have the effect of vesting such



Rev. stat.  
c. 158.

land in the purchaser or his heirs and assigns and his heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, and of and from all charges and encumbrances thereon and dower therein, except taxes accruing after those for the non-payment of which such land was sold; provided that in the case of land registered under *The Land Titles Act*, the transfer of such land shall be completed by the proper master of titles entering on the register the transferee as owner of the land transferred and, until such entry is made, the land shall not vest in the transferee, and provided that the master of titles shall not be required to give the notice prescribed by section 66 of *The Land Titles Act* before making such entry.

Pending  
litigation  
not  
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon, in the same manner and as fully and effectually as if this Act had not been passed.

Commencement  
of  
Act.

4. This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1935.







BILL

An Act respecting the City of Ottawa.

---

*1st Reading*

March 12th, 1935

*2nd Reading*

*3rd Reading*

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MR. ELLIS

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(Reprinted as amended by the Private Bills  
Committee)

No. 9

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the City of Ottawa.

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MR. ELLIS

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 9

1935

# BILL

## An Act respecting the City of Ottawa.

Preamble.

**W**HEREAS the corporation of the city of Ottawa has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The City of Ottawa Act, 1935*.

Authority  
to issue  
debentures  
for  
Elgin Street  
widening.

**2.**—(1) The corporation of the city of Ottawa may provide by by-law to be passed without obtaining the assent of the electors of the said city qualified to vote on money by-laws, for an issue of debentures amounting to \$875,000 and payable within ten years from their date for the purpose of discharging the indebtedness of the corporation incurred in widening Elgin Street between Albert Street and Laurier Avenue.

Debenture  
interest.

(2) The said debentures shall bear interest at such rate as the council of the said corporation shall, by by-law, determine and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*.

Rev. stat.,  
c. 233.

Irregularities  
not to  
invalidate.

(3) No irregularity in the form of any of the said debentures or in the by-law authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof, or any part thereof, or the interest thereon.

Confirmation  
of tax sales  
and con-  
veyances.

**3.**—(1) All sales of land made or purporting to have been made during the year 1933 by the corporation of the city of Ottawa or by its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold, executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said lands to the purchaser thereof, his heirs and assigns, or to the said corporation, shall have the effect of vesting such

land in the purchaser or his heirs and assigns and his heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, and of and from all charges and encumbrances thereon and dower therein, except taxes accruing after those for the non-payment of which such land was sold; provided that in the case of land registered under *The Land Titles Act*, the transfer of such land shall be completed by the proper master of titles entering on the register the transferee as owner of the land transferred and, until such entry is made, the land shall not vest in the transferee, and provided that the master of titles shall not be required to give the notice prescribed by section 66 of *The Land Titles Act* before making such entry.

Rev. stat.  
c. 158.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon, in the same manner and as fully and effectually as if this Act had not been passed.

4. This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1935.

BILL

An Act respecting the City of Ottawa.

---

*1st Reading*

March 12th, 1935

*2nd Reading*

March 29th, 1935

*3rd Reading*

April 3rd, 1935

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MR. ELLIS

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No. 10

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting Hairdressers and Barbers.

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MR. ROBERTS

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(PRIVATE BILL)

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 10

1935

# BILL

## An Act respecting Hairdressers and Barbers.

Preamble.

**W**HEREAS the Association of Registered Hairdressers and Barbers of Ontario has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Ontario Hairdressers' and Barbers' Association Act, 1935*.

1933,  
c. 80, s. 2,  
amended.

**2.** Section 2 of *The Ontario Hairdressers' and Barbers' Association Act, 1933*, is amended by adding thereto the following clause:

"Barber or  
Hairdresser"

(aa) "Barber or Hairdresser" shall mean and include any person who for hire or gain, shaves or trims the beard or cuts or removes the hair, gives facial or scalp massages, or treatments with oils, creams, lotions or other preparations, either by hand or mechanical appliances, singes, shampoos, arranges, dresses,curls, waves or dyes the hair, or applies hair tonics, applies cosmetic preparations, antiseptics, powders, oils, clays, or lotions to scalp, face or neck, or makes, or sells to the public, artificial hairpieces.

1933, c. 80,  
s. 4, ss. 1,  
amended.

**3.** Subsection 1 of section 4 of *The Ontario Hairdressers' and Barbers' Association Act, 1933*, is amended by adding thereto the following clauses:

Studies  
and training  
of  
apprentices,  
etc.

(l) to prescribe a course of studies and training to be pursued by apprentices and improvers, and to fix and determine the periods for which every apprentice and improver shall be apprenticed and employed with a barber or hairdresser or a school approved by the Association and other qualifications required for membership in the Association;



Hours and wages.

- (m) prescribing the maximum working hours and minimum salaries for employees engaged as barbers or hairdressers;

Rates of charges for services.

- (n) establishing maximum and minimum tariffs of charges to be made by persons carrying on the business or trade of barbers or hairdressers, with authority to establish different tariffs of charges in various municipalities or defined sections or zones of the Province;

Sanitary inspection.

- (o) authorizing the inspection of all barber shops and hairdressing establishments for the purpose of ensuring that the same are in a sanitary condition, and that all sanitary precautions and other requirements of *The Public Health Act* are being carried out.

Rev. stat., c. 262.

1933, c. 80. amended.

**4. *The Ontario Hairdressers' and Barbers' Association Act*, 1933, is amended by adding thereto the following section:**

Barbers and hairdressers to be registered.

**5a—(1)** No person shall by himself or by any other person practise or carry on or engage in the trade, calling or business of a barber or hairdresser unless such person is registered as a member of the Association in accordance with the provisions of this Act.

Penalties for non-registration.

**(2)** Any person who contravenes any of the provisions of this section or of any by-law of the association shall incur a penalty not exceeding \$100, exclusive of costs.

1933, c. 80, s. 10 and s. 11, subs. 1, amended.

**5. *The Ontario Hairdressers' and Barbers' Association Act*, 1933, is amended by striking out the words and figures "31st day of December, 1933," where they occur in section 10 and in subsection 1 of section 11 of the said Act and inserting in lieu thereof the words and figures "31st day of December, 1935."**

Commencement of Act.

**6. This Act shall come into force on the day upon which it receives the Royal Assent.**







BILL

An Act respecting Hairdressers and  
Barbers.

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. ROBERTS

(*Private Bill*)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the Town of Fort Erie.

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MR. HOUCK

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(PRIVATE BILL)

No. 11

1935

# BILL

## An Act respecting the Town of Fort Erie.

**Preamble.**

**W**HEREAS the corporation of the town of Fort Erie has by its petition prayed for special legislation in respect of the matters hereinafter set forth, and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

**1.** This Act may be cited as *The Town of Fort Erie Act, 1935.*

**Peace Bridge taxation.**

**2.** The Buffalo and Fort Erie Public Bridge Authority shall pay to the corporation of the town of Fort Erie in full of all municipal taxes against the real property of the Buffalo and Fort Erie Public Bridge Authority and for business assessment and against the Buffalo and Fort Erie Public Bridge Authority itself for the years 1934 to 1939 the following sums of money, namely:

1934—\$45,000 which shall include local improvement rates, penalties and interest.

1935—\$40,000 and local improvement rates.

1936—\$40,000 and local improvement rates.

1937—\$30,000 and local improvement rates.

1938—\$30,000 and local improvement rates.

1939—\$25,000 and local improvement rates.

**Peace Bridge assessment.**

**3.** The assessment of the said real property acquired, held or managed by the Buffalo and Fort Erie Public Bridge Authority, within the corporation limits of the town of Fort Erie, including business assessment, and of the Buffalo and Fort Erie Public Bridge Authority, itself, shall for the purposes of taxation in each of the years 1934 to 1939, be entered on the assessment and collector's roll of the said town in respect to the said years, at no higher valuation than will produce the above-mentioned sums per annum in the said respective years at the rate or rates in the dollar which shall have been fixed by a by-law or by-laws of the said corporation for authorizing, levying and collection of rates for the purposes of the municipi-



pality and the said valuations shall be held and taken to be the assessed valuation for which, during the said years, the said property, business assessment and Bridge Authority hereinbefore described shall be entered upon the assessment and collector's roll for the purpose of levying and collecting all rates, exclusive of local improvement rates, and it shall be the duty of the assessors from time to time during the said period to assess the same in accordance with the valuations hereby fixed and for no other or greater sum; provided that for the purposes of the said assessment for the year 1934 there shall be deducted from the sum of \$45,000 applicable to such year, the amount of the local improvement rates, penalties and interest included therein.

Assessment rolls for 1934 and 1935 confirmed.

**4.** The assessment rolls for the said corporation made in the years 1933 and 1934 for the years 1934 and 1935 respectively, as revised by the courts of revision of the said town sitting in respect to the same, shall be the assessment rolls for the years 1934 and 1935 upon which taxes for the year 1934 and 1935 shall be levied, excepting that the assessment of the Buffalo and Fort Erie Public Bridge Authority as set forth in each of the said rolls shall be amended to accord with the assessment for each of the said years as set forth in section 3, and the said assessment rolls and the assessments contained therein as revised by the said courts of revision are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and as having been made in accordance with the provisions of *The Assessment Act*, and no variations therein subsequently made as the result of any appeal shall have any effect.

Rev. Stat., c. 238.

By-law No. 767 confirmed.

Rev. Stat., c. 233.

By-law No. 766 confirmed.

**5.** Subject as provided in section 2 and as to amount of taxation of the Buffalo and Fort Erie Bridge Authority for the year 1934 as herein set forth, by-law number 767 of the said corporation passed on the 31st day of July, 1934, authorizing and levying the rate for taxes for the year 1934, on the assessment roll for the year 1934, as revised by the said court of revision, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and as having been made in accordance with the provisions of *The Municipal Act*.

**6.** By-law number 766, of the said corporation passed on the 4th day of December, 1934, and having received the assent of the electors qualified to vote thereon, in respect to granting the Horton Steel Works Limited a fixed assessment in respect to the lands therein described, for the period and upon the terms therein set forth, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and upon Horton Steel Works Limited, its successors and assigns.



By-law  
No. 774  
confirmed.

**7.** By-law number 774 of the said corporation passed on the 4th day of December, 1934, and having received the assent of the electors qualified to vote thereon, in respect to granting Frank B. Baird, the Elder, a fixed assessment, in respect to the lands therein described, for the period and upon the terms therein set forth, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and upon Frank B. Baird, the Elder, his heirs, successors and assigns.

Tax sales  
and  
conveyances  
confirmed.

**8.—(1)** All sales of land situate within the said town of Fort Erie made prior to the 31st day of December, 1933, and purporting to have been made by the said corporation or its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.

Pending  
litigation  
not  
affected.

**(2)** Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Commencement  
of Act.

**9.** This Act, other than section 8, shall come into force on the day upon which it receives the Royal Assent. Section 8 shall come into force on the 1st day of July, 1935.



BILL

An Act respecting the Town of Fort Erie.

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. HOUCK

(*Private Bill*)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the Town of Fort Erie.

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MR. HOUCK

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 11

1935

# BILL

## An Act respecting the Town of Fort Erie.

Preamble.

**W**HEREAS the corporation of the town of Fort Erie has by its petition prayed for special legislation in respect of the matters hereinafter set forth, and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Town of Fort Erie Act, 1935*.

Peace Bridge  
taxation.

**2.** The Buffalo and Fort Erie Public Bridge Authority shall pay to the corporation of the town of Fort Erie in full of all municipal taxes against the real property of the Buffalo and Fort Erie Public Bridge Authority and for business assessment and against the Buffalo and Fort Erie Public Bridge Authority itself for the years 1934 to 1939 the following sums of money, namely:

- 1934—\$45,000 which shall include local improvement rates, penalties and interest.
- 1935—\$40,000 and local improvement rates.
- 1936—\$40,000 and local improvement rates.
- 1937—\$30,000 and local improvement rates.
- 1938—\$30,000 and local improvement rates.
- 1939—\$25,000 and local improvement rates.

Peace Bridge  
assessment.

**3.** The assessment of the said real property acquired, held or managed by the Buffalo and Fort Erie Public Bridge Authority, within the corporation limits of the town of Fort Erie, including business assessment, and of the Buffalo and Fort Erie Public Bridge Authority, itself, shall for the purposes of taxation in each of the years 1934 to 1939, be entered on the assessment and collector's roll of the said town in respect to the said years, at no higher valuation than will produce the above-mentioned sums per annum in the said respective years at the rate or rates in the dollar which shall have been fixed by a by-law or by-laws of the said corporation for authorizing, levying and collection of rates for the purposes of the municipi-

pality and the said valuations shall be held and taken to be the assessed valuation for which, during the said years, the said property, business assessment and Bridge Authority hereinbefore described shall be entered upon the assessment and collector's roll for the purpose of levying and collecting all rates, exclusive of local improvement rates, and it shall be the duty of the assessors from time to time during the said period to assess the same in accordance with the valuations hereby fixed and for no other or greater sum; provided that for the purposes of the said assessment for the year 1934 there shall be deducted from the sum of \$45,000 applicable to such year, the amount of the local improvement rates, penalties and interest included therein.

**4.** The assessment rolls for the said corporation made in the years 1933 and 1934 for the years 1934 and 1935 respectively, as revised by the courts of revision of the said town sitting in respect to the same, shall be the assessment rolls for the years 1934 and 1935 upon which taxes for the year 1934 and 1935 shall be levied, excepting that the assessment of the Buffalo and Fort Erie Public Bridge Authority as set forth in each of the said rolls shall be amended to accord with the assessment for each of the said years as set forth in section 3, and the said assessment rolls and the assessments contained therein as revised by the said courts of revision are hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and as having been made in accordance with the provisions of *The Assessment Act*, and no variations therein subsequently made as the result of any appeal shall have any effect.

Assessment rolls for 1934 and 1935 confirmed.

Rev. Stat., c. 238.

**5.** Subject as provided in section 2 and as to amount of taxation of the Buffalo and Fort Erie Bridge Authority for the year 1934 as herein set forth, by-law number 767 of the said corporation passed on the 31st day of July, 1934, authorizing and levying the rate for taxes for the year 1934, on the assessment roll for the year 1934, as revised by the said court of revision, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and as having been made in accordance with the provisions of *The Municipal Act*.

By-law No. 767 confirmed.

Rev. Stat., c. 233.

**6.** By-law number 766, of the said corporation passed on the 4th day of December, 1934, and having received the assent of the electors qualified to vote thereon, in respect to granting the Horton Steel Works Limited a fixed assessment in respect to the lands therein described, for the period and upon the terms therein set forth, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and upon Horton Steel Works Limited, its successors and assigns.

By-law No. 766 confirmed.

By-law  
No. 774  
confirmed.

**7.** By-law number 774 of the said corporation passed on the 4th day of December, 1934, and having received the assent of the electors qualified to vote thereon, in respect to granting Frank B. Baird, the Elder, a fixed assessment, in respect to the lands therein described, for the period and upon the terms therein set forth, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof, and upon Frank B. Baird, the Elder, his heirs, successors and assigns.

Tax sales  
and  
conveyances  
confirmed.

**8.—(1)** All sales of land situate within the said town of Fort Erie made prior to the 31st day of December, 1933, and purporting to have been made by the said corporation or its treasurer for arrears of taxes in respect to the lands so sold are hereby validated and confirmed and all conveyances of land so sold, executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.

Pending  
litigation  
not  
affected.

**(2)** Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Commencement  
of Act.

**9.** This Act, other than section 8, shall come into force on the day upon which it receives the Royal Assent. Section 8 shall come into force on the 1st day of July, 1935.







BILL

An Act respecting the Town of Fort Erie.

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*1st Reading*

March 8th, 1935

*2nd Reading*

March 29th, 1935

*3rd Reading*

April 3rd, 1935

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MR. HOUCK

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the Municipality of Neebing.

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[MR. CRAWFORD

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(PRIVATE BILL)

No. 12

1935

# BILL

## An Act respecting the Municipality of Neebing.

**Preamble.**

WHEREAS the corporation of the municipality of Neebing has by petition represented it is desirable in the interest of the ratepayers of the said municipality that all its assessment and collectors' rolls, all its collectors' returns, and all tax sales held prior to the 31st day of December, 1933, by the said corporation should be validated, and has by such petition prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

1. This Act may be cited as *The Municipality of Neebing Act, 1935.*

**Confirmation of assessment and collectors' rolls.**

2.—(1) All assessment rolls of the corporation of the municipality of Neebing heretofore finally revised, all collectors' rolls for taxes of the said corporation heretofore returned by the collectors thereof, and all collectors' returns of said rolls heretofore made are hereby validated and confirmed and declared to be binding upon and conclusive against all persons, parties or corporations affected thereby, notwithstanding any irregularity, fault or omission in the said assessment rolls, collectors' rolls or collectors' returns or in any matter or thing done or omitted to be done in relation thereto (including failure to distrain), and notwithstanding anything contained in any Act or Acts to the contrary.

**Application of confirmation.**

(2) The provisions of subsection 1 shall apply and extend only to assessment rolls, collectors' rolls and collectors' returns revised, returned and made prior to the 1st day of January, 1934.

**Confirmation of tax sales and conveyances.**

3.—(1) All sales of land within the municipality of Neebing made prior to the 31st day of December, 1933, which purport to have been made by the said corporation or its proper



officers for arrears of taxes in respect of the lands so sold, are hereby validated and confirmed, and all conveyances of the lands so sold, executed, or which may or shall hereafter be executed by the proper officers of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

Pending litigation not affected. **4.** Nothing in this Act contained shall affect or prejudice the rights of any person under any action, litigation or other proceeding now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

Commencement of Act. **5.** This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1935.







BILL

An Act respecting the Municipality  
of Neebing.

*1st Reading*

*2nd Reading*

*3rd Reading*

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MR. CRAWFORD

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(*Private Bill*)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the Municipality of Neebing.

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MR. CRAWFORD

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(PRIVATE BILL)

No. 12

1935

# BILL

An Act respecting the Municipality of Neebing.

**Preamble.**

**W**HEREAS the corporation of the municipality of Neebing has by petition represented it is desirable in the interest of the ratepayers of the said municipality that all its assessment and collectors' rolls, all its collectors' returns, and all tax sales held prior to the 31st day of December, 1933, by the said corporation should be validated, and has by such petition prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

**1.** This Act may be cited as *The Municipality of Neebing Act, 1935.*

**Confirmation of tax sales and conveyances.**

**2.—(1)** All sales of land within the municipality of Neebing made prior to the 31st day of December, 1933, which purport to have been made by the said corporation or its proper officers for arrears of taxes in respect of the lands so sold, are hereby validated and confirmed, and all conveyances of the lands so sold, executed, or which may or shall hereafter be executed by the proper officers of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

**Pending litigation not affected.**

**3.** Nothing in this Act contained shall affect or prejudice the rights of any person under any action, litigation or other



proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

Commence-  
ment of  
Act.

4. This Act, other than section 2, shall come into force on the day upon which it receives the Royal Assent. Section 2 shall come into force on the 1st day of July, 1935.







BILL

An Act respecting the Municipality  
of Neebing.

*1st Reading*

March 5th, 1935

*2nd Reading*

*3rd Reading*

MR. CRAWFORD

(Reprinted as amended by the Private Bills  
Committee)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the Municipality of Neebing.

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MR. CRAWFORD

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 12

1935

# BILL

An Act respecting the Municipality of Neebing.

**Preamble.**

**W**HEREAS the corporation of the municipality of Neebing has by petition represented it is desirable in the interest of the ratepayers of the said municipality that all its assessment and collectors' rolls, all its collectors' returns, and all tax sales held prior to the 31st day of December, 1933, by the said corporation should be validated, and has by such petition prayed that an Act may be passed for such purposes; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

**1.** This Act may be cited as *The Municipality of Neebing Act, 1935.*

**Confirmation of tax sales and conveyances.**

**2.**—(1) All sales of land within the municipality of Neebing made prior to the 31st day of December, 1933, which purport to have been made by the said corporation or its proper officers for arrears of taxes in respect of the lands so sold, are hereby validated and confirmed, and all conveyances of the lands so sold, executed, or which may or shall hereafter be executed by the proper officers of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the lands so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and of all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

**Pending litigation not affected.**

**3.** Nothing in this Act contained shall affect or prejudice the rights of any person under any action, litigation or other

proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this Act had not been passed.

**4.** This Act, other than section 2, shall come into force on <sup>Commencement of</sup> the day upon which it receives the Royal Assent. Section 2 <sup>Act.</sup> shall come into force on the 1st day of July, 1935.

BILL

An Act respecting the Municipality  
of Neebing.

*1st Reading*

March 5th, 1935

*2nd Reading*

March 25th, 1935

*3rd Reading*

April 1st, 1935

MR. CRAWFORD

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the City of Toronto

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MR. KIRBY

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(PRIVATE BILL.)

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 14

1935

# BILL

## An Act respecting the City of Toronto

Preamble.

**W**HEREAS the corporation of the city of Toronto has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Toronto Act, 1935*.

By-laws  
for un-  
employment  
relief works  
confirmed.

2.—(1) By-law number 14184, being “A by-law to authorize the construction of certain works for the relief of unemployment in the city of Toronto,” and by-law number 14205, being “A by-law to authorize the widening of the existing pavement on a portion of Carlton Street for the relief of unemployment in the city of Toronto,” and by-law number 14215, being “A by-law to authorize the construction of certain works for the relief of unemployment in the City of Toronto,” and by-law number 14221, being “A by-law to authorize the construction of certain works for the relief of unemployment in the city of Toronto,” and by-law number 14233, being “A by-law to authorize the construction of a sea wall east of the Exhibition Aquatic Course for the relief of unemployment in the city of Toronto,” passed by the council of the corporation of the city of Toronto, are and each of them is, hereby validated and confirmed and declared to be legal, valid and binding on the said corporation and on the ratepayers thereof, and the said corporation, its officers and servants are hereby empowered and authorized to do all such acts as are required to be done by them to carry out the provisions of the said by-laws.

Authority  
to issue  
debentures  
for un-  
employment  
relief works.

(2) The council of the said corporation may from time to time, pass a by-law or by-laws authorizing the issue of, and may issue, debentures to defray the whole or any part of the cost to the corporation of all or any of the works authorized or purporting to be authorized by any of the by-laws mentioned in subsection 1.



Approval  
by Ontario  
Municipal  
Board to be  
requisite.

(3) No by-law to provide for the issue of debentures for any of the purposes mentioned in this section shall be finally passed until the form of such by-law and the term for which the debentures are to be issued have been approved by the Ontario Municipal Board.

Validity of  
by-laws and  
debentures.

(4) A by-law to provide for the issue of debentures passed or purporting to have been passed under the authority of this section with the approval of the Ontario Municipal Board and the debentures issued or to be issued thereunder shall not for their validity require the assent of the electors qualified to vote on money by-laws or the observance of any formality prescribed by *The Municipal Act*, and every such by-law passed with such approval and every debenture issued thereunder shall be legal, valid and binding upon the corporation and the ratepayers thereof, notwithstanding any invalidity or irregularity therein or affecting the same.

Rev. stat.,  
c. 233.



Grant to  
St. Joseph's  
Hospital.

(2) The council of the said corporation may from time to time pass a by-law or by-laws to authorize the issue of debentures payable within twenty years from the date of their issue to raise the sum of Seventeen thousand dollars (\$17,000) for a grant to St. Joseph's Hospital towards the cost of permanent building improvements.

Agreement  
with Trans-  
portation  
Commission  
confirmed.

1929,  
c. 124,  
sched. B.

**5.** The agreement dated the 25th day of July, 1927, made between the corporation of the city of Toronto and the Toronto Transportation Commission set out in schedule "B" to chapter 124 of the Acts passed in the nineteenth year of the reign of His Majesty King George V shall be legal, valid and binding upon the parties thereto until such parties otherwise agree.

Authority  
for by-laws  
for Parks  
purposes.

**6.**—The council of the corporation of the city of Toronto may from time to time within a period of five years after the 31st day of December, 1934, pass a by-law or by-laws authorizing the issue of, and may issue, debentures payable within thirty years after the time of their issue, for such sum or sums of money as the council may deem necessary, but not exceeding in any one year one mill on the dollar of the assessed value of all the rateable property in the municipality in the said year according to the last revised assessment roll, for the purpose of purchasing land for parks or playgrounds or for boulevards or drives in the municipality or in any adjoining local municipality, and for making permanent improvements therein or in any other public park, playground, boulevard or drive; provided that if in any year debentures are not issued to the full amount hereby authorized in that year, further debentures to such amount may be issued in any other year in addition to the amount hereby authorized to be issued in such other year.

Assent of  
electors not  
requisite.

Rev. Stat.,  
c. 233.

**7.**—(1) It shall not be necessary for the council of the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws to the passing of any by-law authorizing the issue of debentures as set out in subsection 2 of section 4 or in section 6 or to observe in respect thereto the formalities prescribed by *The Municipal Act* in respect to the passing of money by-laws.

Term of  
debentures  
and interest.

(2) Debentures issued under the provisions of any such by-law shall be payable within such period and shall bear interest at such rate as the council of the said corporation shall in such by-law determine and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*.



*Validity of debentures.*

(3) All debentures issued under the authority of this Act shall be legal, valid and binding upon the said corporation and the ratepayers thereof respectively notwithstanding any irregularity in the form of any of such debentures or in any by-law authorizing the issue thereof.

*Authority to continue existing gasoline pumps on highways.*

**8.**—(1) The council of the said corporation may by by-law authorize the maintenance upon the highways or upon any highway in the municipality of any gasoline pump, gasoline or fuel oil tank or fill pipe or air service now located thereon, including the removal of any of the same to a different location and the replacing of any of same in the same or a different location, upon such terms as may be agreed upon between the corporation and the owner or operator of any such gasoline pump, gasoline or fuel oil tank or fill pipe or air service, and for charging every such owner or operator such annual or other charge as the council may deem reasonable for the privilege conferred by the by-law, and for collecting and enforcing payment of such charge in the same manner as taxes upon the land of such owner or operator, and may appoint some official of the corporation to carry out all or any of the provisions of the by-law.

*Removal may be required.*

(2) No agreement made under the provisions of subsection 1 shall divest the said corporation of its right to require and compel the removal from the highway of any gasoline pump, gasoline or fuel oil tank or fill pipe or air service, and no owner or operator of any of same shall have any right to compensation from the corporation in the event of such removal.

*Commencement of Act.*

**9.** This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1935.



## No. 14184. A BY-LAW

To Authorize the Construction of Certain Works for the Relief of Unemployment in the City of Toronto.

[Passed October 29th, 1934.]

Whereas by Report No. 26 of the Board of Control adopted in Council on October 16th, 1934, it is recommended that the various works hereinafter described be undertaken for the purpose of relieving unemployment in the City of Toronto;

Therefore the Council of the Corporation of the City of Toronto enacts as follows:

## I.

That the construction or undertaking of the works set out in Column I of Schedule "A" hereinafter set forth in the location set out in Column II. of the said schedule be and the same is hereby authorized.

## SCHEDULE "A"

## PART I.

## COLUMN I.

## COLUMN II.

*Buildings—*

Fieldhouse	High Park
Shelter—alterations	Sunnybrook Park
Shelter and lavatory	Queen's Park
Fieldhouse	Wadsworth Park
Fieldhouse	Wanless Park
Storehouse for playground equipment	Stanley Park
Repairs to Electrical Building	Exhibition Park
Repairs to Ontario Government Building	Exhibition Park
Repairs to Automotive Building	Exhibition Park

*Grading—*

Renovating sodded areas	University Avenue (Queen Street to College Street)
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*Roadways—*

Pavement, curbs and gutters— Log Cabin roadway, eastward to Garrison Road	Exhibition Park
Pavement—road east of Pure Food Building	Exhibition Park

*Sea Wall—*

Concrete walk and terrace	West from Strachan Avenue to existing walk
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*Forestry—*

Removal of dead trees	Streets and parks
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*Painting—*

Miscellaneous—	Interior of Coliseum
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Water main	High Park
Boardwalk	Lakeshore Boulevard



## PART II.

*Maintenance of Buildings—*

Redecorating offices; replacing old plumbing; improvements in heating, lighting and ventilating, etc.	City Hall
Grading and concreting west yard and front walks; roof work, fences, etc.	Stewart Building
Painting, carpentry, plumbing, heating, concreting, electrical, roofing, plastering, etc.	Fire Halls
Painting, carpentry, plumbing, heating, concreting, electrical, roofing, plastering, etc.	Police Stations
Painting, carpentry, plumbing, heating, concreting, electrical, roofing, plastering, etc.	Isolation Hospital
Plumbing, ventilating, heating, painting, lighting, etc.	Public Lavatories
Renewing ramp in steel and concrete; painting and general improvements,	St. Lawrence Market
Painting, carpentry, plumbing, heating, concreting, electrical, roofing, plastering, etc.	City buildings, houses, stores, apartments and various properties
Painting, heating, lighting, roofing, plastering work, etc.	Toronto Jail
Painting, roofing, concrete work, drains, water services, etc.	Men's Farm, Langstaff
Painting, exterior and interior; repairs to plaster, iron work, etc.	Municipal Abattoir
Rebuilding old structures at Sunnyside	Free Bathing Service
Repairs and maintenance on Island houses and cottages	Island

## PART III.

Garage	Northern Yard, Ramsden Park
Roadway	Ramsden Park
Scale house and scale	Wellington Destructor

## PART IV.

*Roadway Section—*

Concrete sidewalks	Barton Avenue, south side, from Christie Street to Crawford Street
	Bickford Park, south side, from Beatrice Street to Montrose Avenue
	Beaver Avenue, south side, from Lightbourne Avenue to 263 feet west
	Caledonia Road, east side, from Davenport Road to St. Clair Avenue West
	Chandos Avenue, south side, from 130 feet west of Dufferin Street to 231 feet farther west
	Chatham Avenue, south side, from west street line produced of Euston Avenue to 379 feet 8 inches west
	Connolly Street, south side, from Osler Street to Ford Street



## COLUMN I.

Concrete sidewalks—*Continued*

COLUMN I.	COLUMN II.
Concrete sidewalks— <i>Continued</i>	Connolly Street, north side, from 250 feet west of Laughton Avenue to west lane line of lane first east of Osler Street
	Dufferin Street, west side, from Awde Street to 96 feet north
	Dundas Street East, south side, from west end of Don Bridge to 103 feet west
	Fernbank Avenue, south side, from Westmoreland Avenue to Bartlett Avenue
	Gladstone Avenue, east side, from 126 feet north of Sylvan Avenue to 788 feet farther north
	Gladstone Avenue, west side, from 126 feet north of Sylvan Avenue to 788 feet farther north
	Glenlake Avenue, north side, from Keele Street to Oakmount Road
	Harrison Street, north side, from Roxton Road to Ossington Avenue
	Keele Street, east side, from Glenlake Avenue to 575 feet south
	Lympstone Avenue, north side, from Yonge Street to St. Edmunds Drive
	Lympstone Avenue, south side, from Yonge Street to St. Edmunds Drive
	Mount Pleasant Road, east side, from Balliol Street to Davisville Avenue opposite island
	Mountview Avenue, east side, from Glenlake Avenue to 390 feet south
	Southview Avenue, north side, from Westmoreland Avenue to Bartlett Avenue
	Strachan Avenue, west side, from 50 feet north of north curb line of Fleet Street running east produced to 444 feet farther north
	Strachan Avenue, west side, from north limit Bridge over Canadian Pacific Railway Company's tracks to south limit Bridge over Canadian National Railways tracks
	Strachan Avenue, east side, from north limit Bridge over Canadian Pacific Railway Company's tracks to south limit Bridge over Canadian National Railways tracks
	Street car stops—various locations
	Winchester Street, south side, from Sumach Street to 456 feet east
	Yonge and Roxborough Streets, northeast corner
Concrete sidewalks and curbs	Adelaide Street East, opposite No. 57, York County Offices
	Cherry Street, west side, south from end of Don Bridge to 96 feet south



COLUMN I.	COLUMN II.
Concrete sidewalks and curbs— <i>Con.</i>	Dundas Street West, south side, from east street line Montrose Avenue produced to Shaw Street
	Front Street, north side, from Cherry Street to 550 feet east, where required around Hydro poles
	Lytton Boulevard, north side, from Alexandra Boulevard to 82 feet west
	Market Street, east side, from Front Street to 77 feet south of King Street East
	Parkside Drive, east side, from 80 feet north of north curb line of Lake Shore Road to 204 feet north
	Queen Street Subway, south side
	Roxborough Street East, east and south sides, from Park Drive to 415 feet south and west
	Roxborough Street East, south side, from Park Drive to 296 feet east
Concrete curbs	Market Street, east side, from Esplanade Street to Front Street
	Strachan Avenue, west side, from north limit Bridge over Canadian Pacific Railway Company's tracks to south limit Bridge over Canadian National Railways tracks
	Strachan Avenue, east side, from north limit Bridge over Canadian Pacific Railway Company's tracks to south limit Bridge over Canadian National Railways tracks
	Neville Park Boulevard, south end
Concrete steps	Various locations
Replacing and constructing gullies where flooding has occurred	Castlefield Avenue, opposite proposed extension of Mona Street
Elimination of intersection	
Pavements:	Strachan Avenue, Bridge over Canadian Pacific Railway Company's tracks
Asphalt	Strachan Avenue, Bridge over Canadian National Railways tracks
Asphalt	Bathurst Street, from Queen Street West to College Street
	Bathurst Street, from College Street to Dupont Street
Asphalt—widening from 40 feet to 48 feet	Broadview Avenue, from Eastern Avenue to Queen Street East
Asphalt—widening from 40 feet to 48 feet	King Street West, from Dufferin Street to Queen Street West
Asphalt—widening from 24 feet to 46 feet	Parkside Drive, from Queen Street West to Bloor Street West
Asphalt—widening from 37 feet to 48 feet	Queen's Park, from Highlanders' Monument to Bloor Street West
Asphalt—widening from 24 feet to 42 feet	Shuter Street, from Victoria Street to Sherbourne Street
Asphalt—widening from 28 feet 6 inches to 54 feet	St. Clair Avenue West, from Yonge Street to Bathurst Street
Asphalt—widening from 28 feet to 46 feet	
Asphalt—widening from 18 feet by 2 to 69 feet	



COLUMN I.	COLUMN II.
Asphalt	Weston Road South, from Keele Street to a point south of subway
Grading	Gainsborough Road, north side, opposite Wildwood Crescent
Buildings	City Yards
<i>Sewer Section—</i>	
Drainage of creek	Via Glenmount Park Road, easements, Brookside Drive and Corley Avenue, from Glenmount Park Road to Firstbrook Road
Reconstruction of sanitary sewers and repairs to storm sewer	Kenilworth Avenue, east and west sides of storm sewer—west side, from 4th manhole north of Queen Street to 50 feet north of 5th manhole; east side, from 3rd manhole north of Queen Street to 5th manhole north of Queen Street
Reconstructing and deepening of sanitary sewer	Kippendavie Avenue, from 10 feet south of south street line Kew Beach Avenue to 200 feet north of north street line Buller Avenue
Reconstruction of storm sewer	Hubbard Boulevard, from Scarborough Beach Boulevard to Glen Manor Drive
Relief sewer	Dundas Street, from Ritchie Avenue to Soraurien Avenue, with outlet via Lynd Avenue, Grenadier Road, and lane first east of Roncesvalles Avenue to Geoffrey Street
Reconstruction of sewer	Clendenan Avenue, from 16 feet south of 1st manhole north of Glendonwynne Road to 2nd manhole north
Reconstruction of sewer	Gwynne Avenue, from 15 feet north of south street line of Melbourne Avenue to 265 feet south
Walmer Road relief	New sewer on lane first south of Russell Hill Drive, from Walmer Road to Spadina Road.
Enlarging of sewer	Hillsdale Avenue, from 248 feet west of Yonge Street to Yonge Street
Reconstruction of sewer	Tecumseh Street, from King Street to Queen Street
Reconstruction of sewer	John Street, from Front Street to Wellington Street
Reconstruction of sewer	Duke Street, from Jarvis Street to George Street
Reconstruction of sewer	Berkeley Street, from Queen Street East to Sydenham Street
Reconstruction of sewer	Shuter Street, from Victoria Street to Bond Street
<i>Water Supply—</i>	
Replacing 6-inch main	Cypress Street, from Front Street to Eastern Avenue
<i>Water Distribution—</i>	
Replacing 3,500 defective stop-cocks, boxes and rods	
Removal of 500 abandoned water services	



## COLUMN I.

## COLUMN II.

*Water Distribution—Continued*

- Renewing 200 hydrant frost jackets
- 500 hydrants to be provided with new drainage
- Replacing 150 valve chamber covers
- Repairing 750 defective sludge valves in hydrants

W. J. STEWART,  
*Mayor.*

J. W. SOMERS,  
*City Clerk.*

Council Chamber,  
Toronto, October 29th, 1934.

(L.S.)

## No. 14205. A BY-LAW

To authorize the Widening of the Existing Pavement on a Portion of Carlton Street for the Relief of Unemployment in the City of Toronto.

[Passed November 12th, 1934.]

Whereas by Report No. 26 of the Board of Control adopted in Council on October 16th, 1934, it is recommended that the work hereinafter described be undertaken for the purpose of relieving unemployment in the City of Toronto;

Therefore the Council of the Corporation of the City of Toronto enacts as follows:

## I.

That the widening from 40 feet to 48 feet of the existing pavement on Carlton Street from a point 124 feet east of the east street line of Church Street to the west street line of Parliament Street be and the same is hereby authorized.

W. J. STEWART,  
*Mayor.*

J. W. SOMERS,  
*City Clerk.*

Council Chamber,  
Toronto, November 12th, 1934.

(L.S.)

## No. 14215. A BY-LAW

To Authorize the Construction of Certain Works for the Relief of Unemployment in the City of Toronto.

[Passed November 26th, 1934.]

Whereas by Report No. 21 of the Committee on Works and Report No. 17 of the Committee on Parks and Exhibitions, respectively, adopted in Council on November 12, 1934, it is recommended that the various works hereinafter described be undertaken for the purpose of relieving unemployment in the City of Toronto;

Therefore the Council of the Corporation of the City of Toronto enacts as follows:

## I.

That the construction or undertaking of the works set out in Column I of Schedule A hereinafter set forth in the location set out opposite thereto in Column II of the said Schedule be and the same is hereby authorized:



## SCHEDULE "A"

## COLUMN I.

Pavement widening

Lavatory building

Grading and sodding

## COLUMN II.

Annette Street between High Park Avenue and Jane Street  
 Unnamed park on the Lake Front at the foot of Cherry Street  
 Parkette, Mount Pleasant Road between Balliol Street and Davisville Avenue.

W. J. STEWART,  
*Mayor.*

J. W. SOMERS,  
*City Clerk.*

Council Chamber,  
 Toronto, November 26th, 1934.

(L.S.)

## No. 14221. A BY-LAW

To Authorize the Construction of Certain Works for the Relief of Unemployment in the City of Toronto.

[Passed December 10th, 1934.]

Whereas by Report No. 22 of the Committee on Works and Report No. 18 of the Committee on Parks and Exhibitions respectively, adopted in Council November 26th, 1934, it is recommended that the works hereinafter described be undertaken for the purpose of relieving unemployment in the City of Toronto;

Therefore the Council of the Corporation of the City of Toronto enacts as follows:

## I.

The construction or undertaking of the widening of the existing pavement on a portion of Poplar Plains Road south of Clarendon Crescent and the sodding and improvement of the closed roadway in Trinity Park opposite Gorevale Avenue be and the same is hereby authorized.

W. J. STEWART,  
*Mayor.*

J. W. SOMERS,  
*City Clerk.*

Council Chamber,  
 Toronto, December 10th, 1934.

(L.S.)

## No. 14233. A BY-LAW

To Authorize the Construction of a Sea Wall East of the Exhibition Aquatic Course for the Relief of Unemployment in the City of Toronto.

[Passed December 10th, 1934.]

Whereas as appears by Report No. 32 of the Board of Control adopted in Council December 10th, 1934, it is desirable that the work hereinafter described be undertaken for the relief of unemployment in the City of Toronto;

Therefore the Council of the Corporation of the City of Toronto enacts as follows:

## I.

That the construction of a sea wall along the shore of Lake Ontario between the aquatic site lands belonging to Toronto Harbour Commissioners and the approximate prolongation of Strachan Avenue be and the same is hereby authorized.

W. J. STEWART,  
*Mayor.*

J. W. SOMERS,  
*City Clerk.*

Council Chamber,  
 Toronto, December 10th, 1934.

(L.S.)



BILL.

An Act respecting the City of  
Toronto.

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. KIRBY

(*Private Bill*)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

---

# BILL

An Act respecting the City of Toronto

---

MR. KIRBY

---

(PRIVATE BILL)

No. 14

1935

# BILL

## An Act respecting the City of Toronto

*Preamble.*

**W**HEREAS the corporation of the city of Toronto has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

*Short title.*

**1.** This Act may be cited as *The City of Toronto Act, 1935.*

*By-laws  
for un-  
employment  
relief works  
confirmed.*

**2.**—(1) By-law number 14184, being “A by-law to authorize the construction of certain works for the relief of unemployment in the city of Toronto,” and by-law number 14205, being “A by-law to authorize the widening of the existing pavement on a portion of Carlton Street for the relief of unemployment in the city of Toronto,” and by-law number 14215, being “A by-law to authorize the construction of certain works for the relief of unemployment in the City of Toronto,” and by-law number 14221, being “A by-law to authorize the construction of certain works for the relief of unemployment in the city of Toronto,” and by-law number 14233, being “A by-law to authorize the construction of a sea wall east of the Exhibition Aquatic Course for the relief of unemployment in the city of Toronto,” passed by the council of the corporation of the city of Toronto, are and each of them is, hereby validated and confirmed and declared to be legal, valid and binding on the said corporation and on the ratepayers thereof, and the said corporation, its officers and servants are hereby empowered and authorized to do all such acts as are required to be done by them to carry out the provisions of the said by-laws.

*Authority  
to issue  
debentures  
for un-  
employment  
relief works.*

(2) The council of the said corporation may from time to time, pass a by-law or by-laws authorizing the issue of, and may issue, debentures to defray the whole or any part of the cost to the corporation of all or any of the works authorized or purporting to be authorized by any of the by-laws mentioned in subsection 1.



Approval  
by Ontario  
Municipal  
Board to be  
requisite.

(3) No by-law to provide for the issue of debentures for any of the purposes mentioned in this section shall be finally passed until the form of such by-law and the term for which the debentures are to be issued have been approved by the Ontario Municipal Board.

Validity of  
by-laws and  
debentures.

(4) A by-law to provide for the issue of debentures passed or purporting to have been passed under the authority of this section with the approval of the Ontario Municipal Board and the debentures issued or to be issued thereunder shall not for their validity require the assent of the electors qualified to vote on money by-laws or the observance of any formality prescribed by *The Municipal Act*, and every such by-law passed with such approval and every debenture issued thereunder shall be legal, valid and binding upon the corporation and the ratepayers thereof, notwithstanding any invalidity or irregularity therein or affecting the same.

Rev. stat.,  
c. 233.

Confirmation  
of  
tax sales  
and  
conveyances.

3.—(1) All sales of land within the city of Toronto made prior to the 31st day of December, 1933, and purporting to have been made by the corporation of the city of Toronto or its treasurer for arrears of taxes in respect to the land so sold are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns, and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.

Pending  
litigation  
not  
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Annual  
grant to  
institutions,  
etc.

4.—(1) The council of the said corporation may out of current revenues of the corporation in any year grant such sum or sums of money, not exceeding in the aggregate \$100,000 in any one year, in aid of institutions, associations and persons carrying on or engaged in works which in the opinion of the council are for the general advantage of the inhabitants of the said city, but in respect to which no express authority to grant aid is conferred by statute.



Grant to  
St. Joseph's  
Hospital.

(2) The council of the said corporation may from time to time pass a by-law or by-laws to authorize the issue of debentures payable within twenty years from the date of their issue to raise the sum of Seventeen thousand dollars (\$17,000) for a grant to St. Joseph's Hospital towards the cost of permanent building improvements.

Agreement  
with Trans-  
portation  
Commission  
confirmed.

1929,  
c. 124,  
sched. B.

5. The agreement dated the 25th day of July, 1927, made between the corporation of the city of Toronto and the Toronto Transportation Commission set out in schedule "B" to chapter 124 of the Acts passed in the nineteenth year of the reign of His Majesty King George V shall be legal, valid and binding upon the parties thereto until the 24th day of July, 1936.

Authority  
for by-laws  
for Parks  
purposes.

6.—(1) The council of the corporation of the city of Toronto may from time to time within a period of five years after the 31st day of December, 1934, pass a by-law or by-laws authorizing the issue of, and may issue, debentures payable within thirty years after the time of their issue, for such sum or sums of money as the council may deem necessary, but not exceeding in any one year one mill on the dollar of the assessed value of all the rateable property in the municipality in the said year according to the last revised assessment roll, for the purpose of purchasing land for parks or playgrounds or for boulevards or drives in the municipality or in any adjoining local municipality, and for making permanent improvements therein or in any other public park, playground, boulevard or drive; provided that if in any year debentures are not issued to the full amount hereby authorized in that year, further debentures to such amount may be issued in any other year in addition to the amount hereby authorized to be issued in such other year.



Approval  
of Municipal  
Board  
requisite to  
by-law.

(2) No by-law to provide for the issue of debentures for any of the purposes mentioned in subsection 1 shall be passed until the same has been approved by the Ontario Municipal Board.



Assent of  
electors not  
requisite.

7.—(1) It shall not be necessary for the council of the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws to the passing of any by-law authorizing the issue of debentures as set out in subsection 2 of section 4 or in section 6 or to observe in respect thereto the formalities prescribed by *The Municipal Act* in respect to the passing of money by-laws.

Rev. Stat.,  
c. 233.

Term of  
debentures  
and interest.

(2) Debentures issued under the provisions of any such by-law shall be payable within such period and shall bear interest at such rate as the council of the said corporation



shall in such by-law determine and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act.*

**Validity of debentures.**

(3) All debentures issued under the authority of this Act shall be legal, valid and binding upon the said corporation and the ratepayers thereof respectively notwithstanding any irregularity in the form of any of such debentures or in any by-law authorizing the issue thereof.

**Authority to continue existing gasoline pumps on highways.**

**8.**—(1) The council of the said corporation may by by-law authorize the maintenance upon the highways or upon any highway in the municipality of any gasoline pump, gasoline or fuel oil tank or fill pipe or air service now located thereon, including the replacing of any of same in the same location, upon such terms as may be agreed upon between the corporation and the owner or operator of any such gasoline pump, gasoline or fuel oil tank or fill pipe or air service, and for charging every such owner or operator such annual or other charge as the council may deem reasonable for the privilege conferred by the by-law, and for collecting and enforcing payment of such charge in the same manner as taxes upon the land of such owner or operator, and may appoint some official of the corporation to carry out all or any of the provisions of the by-law.

**Removal may be required.**

(2) No agreement made under the provisions of subsection 1 shall divest the said corporation of its right to require and compel the removal from the highway of any gasoline pump, gasoline or fuel oil tank or fill pipe or air service, and no owner or operator of any of same shall have any right to compensation from the corporation in the event of such removal.

**Commencement of Act.**

**9.** This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1935.







BILL

An Act respecting the City of  
Toronto.

*1st Reading*

March 6th, 1935

*2nd Reading*

*3rd Reading*

MR. KIRBY

(Reprinted as amended by the Private Bills  
Committee)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the City of Toronto

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MR. KIRBY

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 14

1935

# BILL

## An Act respecting the City of Toronto

Preamble.

**W**HEREAS the corporation of the city of Toronto has by its petition prayed for special legislation in respect to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Toronto Act, 1935*.

By-laws  
for un-  
employment  
relief works  
confirmed.

2.—(1) By-law number 14184, being “A by-law to authorize the construction of certain works for the relief of unemployment in the city of Toronto,” and by-law number 14205, being “A by-law to authorize the widening of the existing pavement on a portion of Carlton Street for the relief of unemployment in the city of Toronto,” and by-law number 14215, being “A by-law to authorize the construction of certain works for the relief of unemployment in the City of Toronto,” and by-law number 14221, being “A by-law to authorize the construction of certain works for the relief of unemployment in the city of Toronto,” and by-law number 14233, being “A by-law to authorize the construction of a sea wall east of the Exhibition Aquatic Course for the relief of unemployment in the city of Toronto,” passed by the council of the corporation of the city of Toronto, are and each of them is, hereby validated and confirmed and declared to be legal, valid and binding on the said corporation and on the ratepayers thereof, and the said corporation, its officers and servants are hereby empowered and authorized to do all such acts as are required to be done by them to carry out the provisions of the said by-laws.

Authority  
to issue  
debentures  
for un-  
employment  
relief works.

(2) The council of the said corporation may from time to time, pass a by-law or by-laws authorizing the issue of, and may issue, debentures to defray the whole or any part of the cost to the corporation of all or any of the works authorized or purporting to be authorized by any of the by-laws mentioned in subsection 1.

(3) No by-law to provide for the issue of debentures for any of the purposes mentioned in this section shall be finally passed until the form of such by-law and the term for which the debentures are to be issued have been approved by the Ontario Municipal Board.

(4) A by-law to provide for the issue of debentures passed or purporting to have been passed under the authority of this section with the approval of the Ontario Municipal Board and the debentures issued or to be issued thereunder shall not for their validity require the assent of the electors qualified to vote on money by-laws or the observance of any formality prescribed by *The Municipal Act*, and every such by-law passed with such approval and every debenture issued thereunder shall be legal, valid and binding upon the corporation and the ratepayers thereof, notwithstanding any invalidity or irregularity therein or affecting the same.

**3.—(1)** All sales of land within the city of Toronto made prior to the 31st day of December, 1933, and purporting to have been made by the corporation of the city of Toronto or its treasurer for arrears of taxes in respect to the land so sold are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns, and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

**4.—(1)** The council of the said corporation may out of current revenues of the corporation in any year grant such sum or sums of money, not exceeding in the aggregate \$100,000 in any one year, in aid of institutions, associations and persons carrying on or engaged in works which in the opinion of the council are for the general advantage of the inhabitants of the said city, but in respect to which no express authority to grant aid is conferred by statute.

Grant to  
St. Joseph's  
Hospital.

(2) The council of the said corporation may from time to time pass a by-law or by-laws to authorize the issue of debentures payable within twenty years from the date of their issue to raise the sum of Seventeen thousand dollars (\$17,000) for a grant to St. Joseph's Hospital towards the cost of permanent building improvements.

Agreement  
with Trans-  
portation  
Commission  
confirmed.

1929,  
c. 124,  
sched. B.

5. The agreement dated the 25th day of July, 1927, made between the corporation of the city of Toronto and the Toronto Transportation Commission set out in schedule "B" to chapter 124 of the Acts passed in the nineteenth year of the reign of His Majesty King George V shall be legal, valid and binding upon the parties thereto until the 24th day of July, 1936.

Authority  
for by-laws  
for Parks  
purposes.

6.—(1) The council of the corporation of the city of Toronto may from time to time within a period of five years after the 31st day of December, 1934, pass a by-law or by-laws authorizing the issue of, and may issue, debentures payable within thirty years after the time of their issue, for such sum or sums of money as the council may deem necessary, but not exceeding in any one year one mill on the dollar of the assessed value of all the rateable property in the municipality in the said year according to the last revised assessment roll, for the purpose of purchasing land for parks or playgrounds or for boulevards or drives in the municipality or in any adjoining local municipality, and for making permanent improvements therein or in any other public park, playground, boulevard or drive; provided that if in any year debentures are not issued to the full amount hereby authorized in that year, further debentures to such amount may be issued in any other year in addition to the amount hereby authorized to be issued in such other year.

Approval  
of Municipal  
Board  
requisite to  
by-law.

(2) No by-law to provide for the issue of debentures for any of the purposes mentioned in subsection 1 shall be passed until the same has been approved by the Ontario Municipal Board.

Assent of  
electors not  
requisite.

7.—(1) It shall not be necessary for the council of the said corporation to obtain the assent of the electors of the said city qualified to vote on money by-laws to the passing of any by-law authorizing the issue of debentures as set out in subsection 2 of section 4 or in section 6 or to observe in respect thereto the formalities prescribed by *The Municipal Act* in respect to the passing of money by-laws.

Rev. Stat.,  
c. 233.

Term of  
debentures  
and interest.

(2) Debentures issued under the provisions of any such by-law shall be payable within such period and shall bear interest at such rate as the council of the said corporation

shall in such by-law determine and the principal and interest thereof may be made payable in any manner authorized by *The Municipal Act*.

(3) All debentures issued under the authority of this <sup>Validity of debentures.</sup> Act shall be legal, valid and binding upon the said corporation and the ratepayers thereof respectively notwithstanding any irregularity in the form of any of such debentures or in any by-law authorizing the issue thereof.

**8.—(1)** The council of the said corporation may by by-law <sup>Authority to continue existing gasoline pumps on highways.</sup> authorize the maintenance upon the highways or upon any highway in the municipality of any gasoline pump, gasoline or fuel oil tank or fill pipe or air service now located thereon, including the replacing of any of same in the same location, upon such terms as may be agreed upon between the corporation and the owner or operator of any such gasoline pump, gasoline or fuel oil tank or fill pipe or air service, and for charging every such owner or operator such annual or other charge as the council may deem reasonable for the privilege conferred by the by-law, and for collecting and enforcing payment of such charge in the same manner as taxes upon the land of such owner or operator, and may appoint some official of the corporation to carry out all or any of the provisions of the by-law.

(2) No agreement made under the provisions of subsection 1 shall divest the said corporation of its right to require and <sup>Removal may be required.</sup> compel the removal from the highway of any gasoline pump, gasoline or fuel oil tank or fill pipe or air service, and no owner or operator of any of same shall have any right to compensation from the corporation in the event of such removal.

**9.** This Act, other than section 3, shall come into force on <sup>Commencement of</sup> the day upon which it receives the Royal Assent. Section 3 <sup>Act.</sup> shall come into force on the 1st day of July, 1935.





BILL

An Act respecting the City of  
Toronto.

*1st Reading*

March 6th, 1935

*2nd Reading*

March 29th, 1935

*3rd Reading*

April 10th, 1935

MR. KIRBY

No. 15

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the Township of Tisdale.

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MR. ROWLANDSON

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(PRIVATE BILL)

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 15

1935

# BILL

## An Act respecting the Township of Tisdale.

**Preamble.**

**W**HEREAS the corporation of the township of Tisdale has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

1. This Act may be cited as *The Township of Tisdale Act, 1935.*

**Confirmation of tax sales and conveyances.**

2.—(1) All sales of land within the township of Tisdale made prior to the 31st day of December, 1933, and purporting to have been made by the corporation of the said township, or its treasurer, for arrears of taxes in respect of the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the reeve and treasurer of the said corporation, purporting to convey the said land so sold to the purchaser thereof, or his heirs, or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser, or his heirs, or assigns, and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon, and dower therein, except taxes accruing after those for non-payment of which the land was sold.

**Pending litigation not affected.**

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

**By-law No. 427, agreement and debentures confirmed.**

3. By-law number 427 passed by the council of the said corporation authorizing the execution of an agreement dated



the 2nd day of March, 1935, between the said corporation and the Government of the Province of Ontario respecting high school debentures, and the said agreement and the debentures to be issued by the said corporation under the authority of the said by-law and agreement when issued are hereby confirmed and declared to be legal, valid and binding upon the said corporation and upon the ratepayers thereof.

*Commencement of Act.* **4.** This Act, other than section 2, shall come into force on the day upon which it receives the Royal Assent. Section 2 shall come into force on the 1st day of July, 1935.







BILL

An Act respecting the Township of Tisdale.

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. ROWLANDSON

(*Private Bill*)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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---

## BILL

An Act respecting the Township of Tisdale.

---

MR. ROWLANDSON

---

No. 15

1935

# BILL

## An Act respecting the Township of Tisdale.

**Preamble.**

**W**HEREAS the corporation of the township of Tisdale has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

**1.** This Act may be cited as *The Township of Tisdale Act, 1935.*

**Confirmation of tax sales and conveyances.**

**2.**—(1) All sales of land within the township of Tisdale made prior to the 1st day of March, 1934, and purporting to have been made by the corporation of the said township, or its treasurer, for arrears of taxes in respect of the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the reeve and treasurer of the said corporation, purporting to convey the said land so sold to the purchaser thereof, or his heirs, or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser, or his heirs, or assigns, and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon, and dower therein, except taxes accruing after those for non-payment of which the land was sold.

**Pending litigation not affected.**

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

**By-law No. 427, agreement and debentures confirmed.**

**3.** By-law number 427 passed by the council of the said corporation authorizing the execution of an agreement dated

the 2nd day of March, 1935, between the said corporation and the Government of the Province of Ontario respecting high school debentures, and the said agreement and the debentures to be issued by the said corporation under the authority of the said by-law and agreement when issued are hereby confirmed and declared to be legal, valid and binding upon the said corporation and upon the ratepayers thereof.

**4.** This Act, other than section 2, shall come into force on <sup>Commencement of Act.</sup> the day upon which it receives the Royal Assent. Section 2 shall come into force on the 1st day of July, 1935.

BILL

An Act respecting the Township of Tisdale.

*1st Reading*

March 19th, 1935

*2nd Reading*

March 29th, 1935

*3rd Reading*

April 3rd, 1935

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MR. ROWLANDSON

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the Town of Weston.

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MR. GARDHOUSE

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(PRIVATE BILL)

No. 16

1935

# BILL

## An Act respecting the Town of Weston.

**Preamble.**

**W**HEREAS the corporation of the town of Weston has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

1. This Act may be cited as *The Town of Weston Act, 1935*.

**Assessment roll for 1934 confirmed.**

2. The assessment roll for the said corporation, made in the year 1934, adopted by by-law No. 778 of the said corporation as the assessment roll other than for assessment of incomes on which the rate of taxation for the year 1935 shall be fixed and levied, and thereafter revised, is hereby ratified and declared to be legal, valid and binding upon the said corporation and upon the ratepayers thereof.

**Confirmation of tax sales and conveyances.**

3.—(1) All sales of land within the town of Weston made prior to the 31st day of December, 1933, and purporting to have been made by the corporation of the said town or its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold; provided that in the case of land registered under *The Land Titles Act*, the transfer of such land shall be completed by the proper master of titles entering on the register the

**Proviso,**  
**Rev. Stat.,**  
**c. 158.**



transferee as owner of the land transferred and, until such entry is made, the land shall not vest in the transferee, and the master of titles shall not be required to give the notice prescribed by section 66 of *The Land Titles Act* before making such entry.

Rev. Stat.,  
c. 158.  
Pending  
litigation  
not affected. (2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Commencement of Act. 4. This Act, other than section 3, shall come into force on the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1935.







BILL

An Act respecting the Town of Weston.

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. GARDHOUSE

(*Private Bill*)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the Town of Weston.

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MR. GARDHOUSE

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 16

1935

# BILL

## An Act respecting the Town of Weston.

Preamble.

**W**HEREAS the corporation of the town of Weston has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Town of Weston Act, 1935*.

Assessment  
roll for 1934  
confirmed.

**2.** The assessment roll for the said corporation, made in the year 1934, adopted by by-law No. 778 of the said corporation as the assessment roll other than for assessment of incomes on which the rate of taxation for the year 1935 shall be fixed and levied, and thereafter revised, is hereby ratified and declared to be legal, valid and binding upon the said corporation and upon the ratepayers thereof.

Confirmation  
of tax  
sales and  
conveyances.

**3.—(1)** All sales of land within the town of Weston made prior to the 31st day of December, 1933, and purporting to have been made by the corporation of the said town or its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold; provided that in the case of land registered under *The Land Titles Act*, the transfer of such land shall be completed by the proper master of titles entering on the register the

transferee as owner of the land transferred and, until such entry is made, the land shall not vest in the transferee, and the master of titles shall not be required to give the notice prescribed by section 66 of *The Land Titles Act* before making <sup>Rev. Stat., c. 158.</sup>

(2) Nothing in this section contained shall affect or prejudice <sup>Pending litigation</sup> the rights of any person under any action, litigation or other <sup>not affected.</sup> proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

4. This Act, other than section 3, shall come into force on <sup>Commencement of Act.</sup> the day upon which it receives the Royal Assent. Section 3 shall come into force on the 1st day of July, 1935.

BILL

An Act respecting the Town of Weston.

*1st Reading*

March 8th, 1935

*2nd Reading*

March 25th, 1935

*3rd Reading*

April 1st, 1935

MR. GARDHOUSE

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting Algoma Steel Corporation, Limited.

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MR. ROBERTS

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(PRIVATE BILL)

No. 17

1935

# BILL

## An Act respecting Algoma Steel Corporation, Limited.

Preamble.

WHEREAS Algoma Steel Corporation, Limited (incor-  
porated 1934), has offered to purchase the assets  
described in a certain offer to purchase dated December 19th,  
1934, and referred to in Schedule "A" to this Act, from The  
Toronto General Trusts Corporation as successor trustee  
under a certain Indenture of Mortgage or Deed of Trust  
(known as and hereinafter called the "First and Refunding  
Mortgage") referred to in Schedule "B" to this Act and dated  
the 1st day of April, 1912, which said offer has been accepted  
by the said trustee; and whereas the sale contemplated by  
the said Offer to Purchase has been sanctioned, authorized,  
approved and directed by at least two-thirds in value of the  
holders of the bonds secured by the First and Refunding  
Mortgage and has been sanctioned and directed by an order  
of the Supreme Court of Ontario, dated the 12th day of  
February, 1935, referred to in Schedule "C" to this Act; and  
whereas in respect to a portion of the said assets the First and  
Refunding Mortgage is second in priority to a certain Inden-  
ture of Mortgage or Deed of Trust (known as and hereinafter  
called the "Purchase Money Mortgage") referred to in  
Schedule "D" to this Act, of which mortgage The Trusts and  
Guarantee Company, Limited, is now successor trustee, to  
secure an issue of Purchase Money Five Per Cent. Bonds, which  
said Purchase Money Bonds and mortgage are collateral to an  
issue of First Mortgage and Collateral Trust Five Per Cent.  
Gold Bonds of the said The Lake Superior Corporation, and  
all of which said Purchase Money Bonds are held by the trustee  
under a certain mortgage, known as the Collateral Trust  
Indenture, securing the said issue of First Mortgage and  
Collateral Trust Five Per Cent. Gold Bonds of the said The  
Lake Superior Corporation; and whereas at least two-thirds  
in value of the holders of the said First Mortgage and Collateral  
Trust Five Per Cent. Gold Bonds have requested that the trust  
estate referred to and described in the said Purchase Money  
Mortgage be vested in the said Algoma Steel Corporation,  
Limited (incorporated 1934), and that in lieu and in substitu-  
tion therefor 26,390 five per cent. preference shares of the said



Algoma Steel Corporation, Limited (incorporated 1934), be issued to and held by the said The Trusts and Guarantee Company, Limited, as trustee as aforesaid; and whereas W. C. Franz, Sir William E. Stavert and John A. McPhail are now receivers and managers of the undertaking, property and assets of the Algoma Steel Corporation, Limited (incorporated 1907), under the authority of orders of the Supreme Court of Ontario; and whereas the said Algoma Steel Corporation, Limited (incorporated 1934), has by its petition prayed for special legislation in respect of the matters hereinbefore and hereinafter set forth; and whereas it is expedient in order to re-establish the steel industry at Sault Ste. Marie in this Province to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

**1.** This Act may be cited as *The Algoma Steel Re-establishment Act, 1935*.

**Authority  
for  
acquisition  
of Steel  
Corporation  
assets.**

**2.** The acquisition and purchase by Algoma Steel Corporation, Limited (incorporated 1934), in the action in the Supreme Court of Ontario in which the said The Toronto General Trusts Corporation, as trustee as aforesaid, is plaintiff and the said Algoma Steel Corporation, Limited (incorporated 1907), and the said The Lake Superior Corporation are defendants, of the trust estate described in the said First and Refunding Mortgage (including all property and assets of every kind in the custody or control of the receivers and managers of the undertaking, property and assets of the said Algoma Steel Corporation, Limited (incorporated 1907), and the order in the said action dated the 12th day of February, 1935, and more particularly referred to in Schedule "C" to this Act, in so far as the provisions thereof are not in conflict with the terms of this Act, are hereby ratified and confirmed, and the said Algoma Steel Corporation, Limited (incorporated 1934), the said receivers and managers, the said The Toronto General Trusts Corporation, as trustee as aforesaid, the holders of the said First and Refunding Bonds and Chartered Trust and Executor Company, Liquidator of Algoma Steel Corporation, Limited (incorporated 1907), are hereby authorized and empowered to do and perform all acts, matters and things and to execute and deliver all documents necessary or desirable to complete such acquisition and purchase and to carry out the terms of the said order.

**Issue of  
shares as  
substitu-  
tional trust  
estate.**

**3.** Algoma Steel Corporation, Limited (incorporated 1934), is authorized to issue 26,390 of its preference shares of a par value of \$100 each to the said The Trusts and Guarantee



Company, Limited, as trustee as aforesaid, and the said The Trusts and Guarantee Company, Limited, as trustee as aforesaid, is authorized to accept the said preference shares in substitution for and in lieu of the trust estate described in the said Purchase Money Mortgage (including all property and assets of every kind in the custody or control of the said receivers and managers of the undertaking, property and assets of the said Algoma Steel Corporation, Limited (incorporated 1907), and the said The Trusts and Guarantee Company, Limited, as trustee as aforesaid, the said receivers and managers, the said Algoma Steel Corporation, Limited (incorporated 1934), are authorized to do all acts or things necessary or desirable to complete such substitution.

Vesting of  
properties  
of Steel  
Corporation

**4.** All the undertaking, property and assets of the said Algoma Steel Corporation, Limited (incorporated 1907), (including all property and assets of every kind in the custody or control of the said receivers and managers of the undertaking, property and assets of the said Algoma Steel Corporation, Limited (incorporated 1907), are hereby vested in Algoma Steel Corporation, Limited (incorporated 1934), free and clear of the charge thereon of the receivers' certificates issued by the said receivers and managers and of the trusts of the said First and Refunding and Purchase Money Mortgages and of any equity of redemption.

Application  
of Act to  
certain  
interests.

**5.** This Act shall be binding upon The Toronto General Trusts Corporation, as trustee as aforesaid; the holders from time to time of the First and Refunding Bonds of Algoma Steel Corporation, Limited, issued in pursuance of the said First and Refunding Mortgage dated the 1st day of April, A.D. 1912; The Trusts and Guarantee Company, Limited, as trustee as aforesaid and the holders from time to time of the said Purchase Money Bonds of Algoma Steel Corporation, Limited, issued in pursuance of the said Purchase Money Mortgage dated the 1st day of April, A.D. 1912; the Liquidator of Algoma Steel Corporation, Limited (incorporated 1907); the said receivers and managers; and Algoma Steel Corporation, Limited (incorporated 1934); and all other persons having any interest in the said undertaking, property and assets of the said Algoma Steel Corporation, Limited (incorporated 1907).

Commencement  
of Act.

**6.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.



## SCHEDULE "A"

The Assets referred to—

- (a) The "mortgaged premises" referred to and described in the First and Refunding Mortgage of Algoma Steel Corporation, Limited (incorporated 1907), and
- (b) The "pledged securities" referred to and described in the said First and Refunding Mortgage,

and being all the property described in paragraphs (a) to (e) inclusive of the granting clauses of the said First and Refunding Mortgage (including all property and assets of every kind in the custody or control of the Receivers and Managers of the undertaking, property and assets of Algoma Steel Corporation, Limited (incorporated 1907), appointed by the Supreme Court of Ontario in actions brought for the enforcement of the said Mortgage and of the Purchase Money Mortgage of Algoma Steel Corporation, Limited (incorporated 1907).

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## SCHEDULE "B"

Indenture of Mortgage or Deed of Trust made as of the 1st day of April, A.D. 1912, between Algoma Steel Corporation, Limited, a Company duly incorporated under the laws of the Province of Ontario, of the first part; United States Mortgage and Trust Company, a Company duly incorporated under the laws of the State of New York, of the second part, and The Lake Superior Corporation, a Company duly incorporated under the laws of the State of New Jersey, of the third part (known as the First and Refunding Mortgage), to secure payment of the First and Refunding Mortgage Five Per Cent. Fifty-Year Sinking Fund Gold Bonds of Algoma Steel Corporation, Limited, to the aggregate amount of Thirty Million Dollars, registered on the 13th day of June, 1912, in the Registry Office for the Registry Division of Algoma, in Book R for Sault Ste. Marie, as Number 20208, and filed in the Office of Land Titles at Sault Ste. Marie on the 17th day of October, 1912, as Number 11285.

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## SCHEDULE "C"

Order of the Supreme Court of Ontario, made on the 12th day of February, 1935, in an action in the said Court, in which The Toronto General Trusts Corporation, as Trustee under a mortgage dated the 1st day of April, A.D. 1912, and made between Algoma Steel Corporation, Limited, of the first part, United States Mortgage & Trust Company, of the second part, and The Lake Superior Corporation, of the third part, and known as the "First and Refunding Mortgage," and more particularly referred to in Schedule "A" to this Act, is plaintiff, and Algoma Steel Corporation, Limited, and The Lake Superior Corporation are defendants.

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## SCHEDULE "D"

Indenture of Mortgage or Deed of Trust, made as of the 1st day of April, A.D. 1912, between Algoma Steel Corporation, Limited, a Company duly incorporated under the laws of the Province of Ontario, of the First Part, and United States Mortgage and Trust Company, a Company duly incorporated under the laws of the State of New York, of the Second Part (known as the "Purchase Money Mortgage"), to secure the Purchase Money Five Per Cent. Bonds of Algoma Steel Corporation, Limited, to the amount of Five Million Eight Hundred Thousand Dollars, registered on the 10th day of June, 1912, in the Registry Office for the Registry Division of Algoma, in Book R for Sault Ste. Marie, as Number 20186, and filed in the Office of Land Titles at Sault Ste. Marie on the 17th day of October, 1912, as Number 11284.







BILL

An Act respecting Algoma Steel  
Corporation, Limited.

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. ROBERTS

(*Private Bill*)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting Algoma Steel Corporation, Limited.

---

MR. ROBERTS

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(PRIVATE BILL)

No. 17

1935

# BILL

## An Act respecting Algoma Steel Corporation, Limited.

**Preamble.**

WHEREAS Algoma Steel Corporation, Limited (incorporated 1934), has offered to purchase the assets described in a certain offer to purchase dated December 19th, 1934, and referred to in Schedule "A" to this Act, from The Toronto General Trusts Corporation as successor trustee under a certain Indenture of Mortgage or Deed of Trust (known as and hereinafter called the "First and Refunding Mortgage") referred to in Schedule "B" to this Act and dated the 1st day of April, 1912, which said offer has been accepted by the said trustee; and whereas the sale contemplated by the said Offer to Purchase has been sanctioned, authorized, approved and directed by at least two-thirds in value of the holders of the bonds secured by the First and Refunding Mortgage and has been sanctioned and directed by a judgment of the Supreme Court of Ontario, dated the 12th day of February, 1935, referred to in Schedule "C" to this Act; and whereas in respect to a portion of the said assets the First and Refunding Mortgage is second in priority to a certain Indenture of Mortgage or Deed of Trust (known as and hereinafter called the "Purchase Money Mortgage") referred to in Schedule "D" to this Act, of which mortgage The Trusts and Guarantee Company, Limited, is now successor trustee, to secure an issue of Purchase Money Five Per Cent. Bonds, which said Purchase Money Bonds and mortgage are collateral to an issue of First Mortgage and Collateral Trust Five Per Cent. Gold Bonds of the said The Lake Superior Corporation, and all of which said Purchase Money Bonds are held by the trustee under a certain mortgage, known as the Collateral Trust Indenture, securing the said issue of First Mortgage and Collateral Trust Five Per Cent. Gold Bonds of the said The Lake Superior Corporation; and whereas at least two-thirds in value of the holders of the said First Mortgage and Collateral Trust Five Per Cent. Gold Bonds have requested that the trust estate referred to and described in the said Purchase Money Mortgage be vested in the said Algoma Steel Corporation, Limited (incorporated 1934), and that in lieu and in substitution therefor 26,390 five per cent. preference shares of the said



Algoma Steel Corporation, Limited (incorporated 1934), be issued to and held by the said The Trusts and Guarantee Company, Limited, as trustee as aforesaid; and whereas W. C. Franz, Sir William E. Stavert and John A. McPhail are now receivers and managers of the undertaking, property and assets of the Algoma Steel Corporation, Limited (incorporated 1907), under the authority of orders of the Supreme Court of Ontario; and whereas the said Algoma Steel Corporation, Limited (incorporated 1934), has by its petition prayed for special legislation in respect of the matters hereinbefore and hereinafter set forth; and whereas it is expedient in order to re-establish the steel industry at Sault Ste. Marie in this Province to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

**1.** This Act may be cited as *The Algoma Steel Re-establishment Act, 1935.*

**Authority  
for  
acquisition  
of Steel  
Corporation  
assets.**

**2.** The acquisition and purchase by Algoma Steel Corporation, Limited (incorporated 1934), in the action in the Supreme Court of Ontario in which the said The Toronto General Trusts Corporation, as trustee as aforesaid, is plaintiff and the said Algoma Steel Corporation, Limited (incorporated 1907), and the said The Lake Superior Corporation are defendants, of the trust estate described in the said First and Refunding Mortgage (including all property and assets of every kind in the custody or control of the receivers and managers of the undertaking, property and assets of the said Algoma Steel Corporation, Limited (incorporated 1907), and the judgment in the said action dated the 12th day of February, 1935, and more particularly referred to in Schedule "C" to this Act, in so far as the provisions thereof are not in conflict with the terms of this Act, are hereby ratified and confirmed and declared to be valid and binding upon the persons therein named and the said Algoma Steel Corporation, Limited (incorporated 1934), the said receivers and managers, the said The Toronto General Trusts Corporation, as trustee as aforesaid, the holders of the said First and Refunding Bonds and Chartered Trust and Executor Company, Liquidator of Algoma Steel Corporation, Limited (incorporated 1907), are hereby authorized and empowered to do and perform all acts, matters and things and to execute and deliver all documents necessary or desirable to complete such acquisition and purchase and to carry out the terms of the said judgment.

**Issue of  
shares as  
substitu-  
tional trust  
estate.**

**3.** Algoma Steel Corporation, Limited (incorporated 1934), is authorized to issue 26,390 of its preference shares of a par



value of \$100 each to the said The Trusts and Guarantee Company, Limited, as trustee as aforesaid, and the said The Trusts and Guarantee Company, Limited, as trustee as aforesaid, is authorized to accept the said preference shares in substitution for and in lieu of the trust estate described in the said Purchase Money Mortgage (including all property and assets of every kind in the custody or control of the said receivers and managers of the undertaking, property and assets of the said Algoma Steel Corporation, Limited (incorporated 1907), and the said The Trusts and Guarantee Company, Limited, as trustee as aforesaid, the said receivers and managers, the said Algoma Steel Corporation, Limited (incorporated 1934), are authorized to do all acts or things necessary or desirable to complete such substitution.

*Vesting of properties of Steel Corporation.*

**4.** All the undertaking, property and assets of the said Algoma Steel Corporation, Limited (incorporated 1907), (including all property and assets of every kind in the custody or control of the said receivers and managers of the undertaking, property and assets of the said Algoma Steel Corporation, Limited (incorporated 1907), are hereby vested in Algoma Steel Corporation, Limited (incorporated 1934), free and clear of the charge thereon of the receivers' certificates issued by the said receivers and managers and of the trusts of the said First and Refunding and Purchase Money Mortgages and of any equity of redemption.

*Application of Act to certain interests.*

**5.** This Act shall be binding upon The Toronto General Trusts Corporation, as trustee as aforesaid; the holders from time to time of the First and Refunding Bonds of Algoma Steel Corporation, Limited, issued in pursuance of the said First and Refunding Mortgage dated the 1st day of April, A.D. 1912; The Trusts and Guarantee Company, Limited, as trustee as aforesaid and the holders from time to time of the said Purchase Money Bonds of Algoma Steel Corporation, Limited, issued in pursuance of the said Purchase Money Mortgage dated the 1st day of April, A.D. 1912; the Liquidator of Algoma Steel Corporation, Limited (incorporated 1907); the said receivers and managers; and Algoma Steel Corporation, Limited (incorporated 1934); and all persons having any interest in the said undertaking, property and assets of the said Algoma Steel Corporation, Limited (incorporated 1907).

*Commencement of Act.*

**6.** This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.



## SCHEDULE "A"

The Assets referred to—

- (a) The "mortgaged premises" referred to and described in the First and Refunding Mortgage of Algoma Steel Corporation, Limited (incorporated 1907), and
- (b) The "pledged securities" referred to and described in the said First and Refunding Mortgage,

and being all the property described in paragraphs (a) to (e) inclusive of the granting clauses of the said First and Refunding Mortgage (including all property and assets of every kind in the custody or control of the Receivers and Managers of the undertaking, property and assets of Algoma Steel Corporation, Limited (incorporated 1907), appointed by the Supreme Court of Ontario in actions brought for the enforcement of the said Mortgage and of the Purchase Money Mortgage of Algoma Steel Corporation, Limited (incorporated 1907).

---

## SCHEDULE "B"

Indenture of Mortgage or Deed of Trust made as of the 1st day of April, A.D. 1912, between Algoma Steel Corporation, Limited, a Company duly incorporated under the laws of the Province of Ontario, of the first part; United States Mortgage and Trust Company, a Company duly incorporated under the laws of the State of New York, of the second part, and The Lake Superior Corporation, a Company duly incorporated under the laws of the State of New Jersey, of the third part (known as the First and Refunding Mortgage), to secure payment of the First and Refunding Mortgage Five Per Cent. Fifty-Year Sinking Fund Gold Bonds of Algoma Steel Corporation, Limited, to the aggregate amount of Thirty Million Dollars, registered on the 13th day of June, 1912, in the Registry Office for the Registry Division of Algoma, in Book R for Sault Ste. Marie, as Number 20208, and filed in the Office of Land Titles at Sault Ste. Marie on the 17th day of October, 1912, as Number 11285.

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## SCHEDULE "C"

### IN THE SUPREME COURT OF ONTARIO

THE HONOURABLE	{	Tuesday, the 12th day of
MR. JUSTICE J. A. McEvoy		February, A.D. 1935.

BETWEEN:

THE TORONTO GENERAL TRUSTS CORPORATION,  
Trustee under a Mortgage dated the 1st day of  
April, A.D. 1912, and made between Algoma Steel  
Corporation, Limited, of the First Part, United  
States Mortgage & Trust Company, of the Second  
Part, and The Lake Superior Corporation, of the  
Third Part, and known as "The First and Refunding  
Mortgage,"

PLAINTIFF,

—and—

ALGOMA STEEL CORPORATION, LIMITED and THE  
LAKE SUPERIOR CORPORATION,

DEFENDANTS.

Upon motion made unto this Court this day by Counsel on behalf of the Plaintiff, in the presence of Counsel for Chartered Trust and Executor



Company, the Liquidator of the Defendant Algoma Steel Corporation, Limited, for Donald McK. McClelland, Liquidator of the Defendant The Lake Superior Corporation, for Algoma Steel Corporation, Limited (incorporated 1934) and of Counsel for The Lake Superior Investment Company, for Dunn, Fisher & Co., and for Algoma Consolidated Corporation Limited, holders of First and Refunding Mortgage 5% 50-Year Sinking Fund Gold Bonds of the Defendant Algoma Steel Corporation, Limited secured by the above mentioned First and Refunding Mortgage, and for the Bank of Montreal, claiming to be a secured creditor of the said Defendant Algoma Steel Corporation, Limited, for judgment and for an order in respect of the matters hereinafter set forth; upon hearing read the pleadings and proceedings herein, the resolutions of the holders of the said First and Refunding bonds at the meeting held on the 6th day of February, 1935, the Offer of Purchase dated the 19th day of December, 1934, referred to in the said resolutions, the affidavits of Peter Wright, W. C. Franz (2), William Lilley, Gordon C. Lindsay, the said Donald McK. McClelland and John J. Gibson, and the exhibits therein referred to, filed, and upon hearing what was alleged by Counsel aforesaid, and no bondholder or creditor appearing to oppose the said motion, and upon Counsel for Algoma Steel Corporation, Limited (incorporated 1934) undertaking to pay the compensation and expenses, including legal fees, of Chartered Trust and Executor Company, Liquidator of the Defendant Algoma Steel Corporation, Limited on completion of the sales and transfers herein referred to:

1. This Court doth declare that the trusts of the said First and Refunding Mortgage ought to be performed and carried into execution, having regard to the said resolutions of the bondholders of the said First and Refunding Mortgage 5% 50-Year Sinking Fund Gold Bonds and to the said Offer of Purchase dated the 19th day of December, 1934, and that the Plaintiff, as Trustee as aforesaid, and Chartered Trust and Executor Company, Liquidator of the Defendant Algoma Steel Corporation, Limited, should do all such acts as may be required to give effect to the said Offer and the said resolutions; and doth order and adjudge the same accordingly.

2. And this Court doth sanction and direct the sales and transfers contemplated by the said Offer of Purchase dated the 19th day of December, 1934, and doth direct the said Plaintiff, as Trustee as aforesaid, to exercise all or any of the powers conferred on the Trustee under the said First and Refunding Mortgage; and doth order and adjudge the same accordingly.

3. And this Court doth authorize and direct the distribution by the Plaintiff, as Trustee as aforesaid, among the holders of the said First and Refunding Bonds, with First October, 1932 and all subsequent coupons attached, in payment on account of the said bonds and coupons, of the no par common shares to be issued to the said Plaintiff, as Trustee as aforesaid, as part of the consideration of the said sales, as set out in the said Offer of Purchase dated the 19th day of December, 1934, by the delivery to each such holder of one no par common share for each principal sum of \$200.00 of the said bonds held by such holders respectively (or the Sterling equivalent thereof, at the rate of \$4.86-2/3 to the pound, as provided in the said First and Refunding Mortgage), and in respect of any balance of principal by the delivery of scrip certificates for fractional shares redeemable in no par common shares on the above basis, in such manner as the Plaintiff, as Trustee as aforesaid, may see fit; provided, however, that the Plaintiff, as Trustee as aforesaid, do insert an advertisement, in the form in the Schedule hereto annexed, once a month for three consecutive months in each of the following newspapers:—The New York Times, published in the City of New York, U.S.A.; The Times, published in London, England; and The Globe, published in the City of Toronto, Canada; and this Court doth order and adjudge the same accordingly.

4. And this Court doth further order and adjudge that the Plaintiff, as Trustee as aforesaid, the Chartered Trust and Executor Company, Liquidator of the Defendant Algoma Steel Corporation, Limited, and the Receivers and Managers of the undertaking, property and assets of the Defendant Algoma Steel Corporation, Limited, comprised in and subject to the security created by the said First and Refunding Mortgage and the Purchase Money Mortgage of the Defendant Algoma Steel Corporation,



Limited, do join in, execute and deliver proper conveyances of the undertaking, property and assets set out in the said Offer of Purchase dated the 19th day of December, 1934, subject, however, to the charge of the said Purchase Money Mortgage, and to the lien, if any, of the Bank of Montreal under or by virtue of security given to the said Bank under the provisions of Section 88 of *The Bank Act*, and a general assignment of book debts.

5. And this Court doth further declare that the matters herein ordered and adjudged are so ordered and adjudged without prejudice to and reserving the rights of the said First and Refunding bondholders and those of the said Plaintiff, as Trustee as aforesaid, against the Defendant The Lake Superior Corporation, under the covenants for payment contained in the said First and Refunding Mortgage and endorsed on the said First and Refunding bonds; and doth order and adjudge the same accordingly.

6. And this Court doth further order and adjudge that no action shall be taken to carry out the terms of this judgment and order until the legislation referred to in the said Offer of Purchase dated the 19th day of December, 1934, has been enacted by the Legislative Assembly of the Province of Ontario.

Judgment signed this 15th day of February, A.D. 1935.

H. B. PALEN,  
Assistant Registrar, S.C.O.

Entered J. B. 62 pages 158-59-60,  
February 15, 1935.  
"V. C."



#### SCHEDULE "D"

Indenture of Mortgage or Deed of Trust, made as of the 1st day of April, A.D. 1912, between Algoma Steel Corporation, Limited, a Company duly incorporated under the laws of the Province of Ontario, of the First Part, and United States Mortgage and Trust Company, a Company duly incorporated under the laws of the State of New York, of the Second Part (known as the "Purchase Money Mortgage"), to secure the Purchase Money Five Per Cent. Bonds of Algoma Steel Corporation, Limited, to the amount of Five Million Eight Hundred Thousand Dollars, registered on the 10th day of June, 1912, in the Registry Office for the Registry Division of Algoma, in Book R for Sault Ste. Marie, as Number 20186, and filed in the Office of Land Titles at Sault Ste. Marie on the 17th day of October, 1912, as Number 11284.







BILL.

An Act respecting Algoma Steel  
Corporation, Limited.

---

*1st Reading*

February 28th, 1935

*2nd Reading*

*3rd Reading*

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MR. ROBERTS

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(Reprinted as amended by the Private Bills  
Committee)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting Algoma Steel Corporation, Limited.

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MR. ROBERTS

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No. 17

1935

# BILL

## An Act respecting Algoma Steel Corporation, Limited.

Preamble.

WHEREAS Algoma Steel Corporation, Limited (incorporated 1934), has offered to purchase the assets described in a certain offer to purchase dated December 19th, 1934, and referred to in Schedule "A" to this Act, from The Toronto General Trusts Corporation as successor trustee under a certain Indenture of Mortgage or Deed of Trust (known as and hereinafter called the "First and Refunding Mortgage") referred to in Schedule "B" to this Act and dated the 1st day of April, 1912, which said offer has been accepted by the said trustee; and whereas the sale contemplated by the said Offer to Purchase has been sanctioned, authorized, approved and directed by at least two-thirds in value of the holders of the bonds secured by the First and Refunding Mortgage and has been sanctioned and directed by a judgment of the Supreme Court of Ontario, dated the 12th day of February, 1935, referred to in Schedule "C" to this Act; and whereas in respect to a portion of the said assets the First and Refunding Mortgage is second in priority to a certain Indenture of Mortgage or Deed of Trust (known as and hereinafter called the "Purchase Money Mortgage") referred to in Schedule "D" to this Act, of which mortgage The Trusts and Guarantee Company, Limited, is now successor trustee, to secure an issue of Purchase Money Five Per Cent. Bonds, which said Purchase Money Bonds and mortgage are collateral to an issue of First Mortgage and Collateral Trust Five Per Cent. Gold Bonds of the said The Lake Superior Corporation, and all of which said Purchase Money Bonds are held by the trustee under a certain mortgage, known as the Collateral Trust Indenture, securing the said issue of First Mortgage and Collateral Trust Five Per Cent. Gold Bonds of the said The Lake Superior Corporation; and whereas at least two-thirds in value of the holders of the said First Mortgage and Collateral Trust Five Per Cent. Gold Bonds have requested that the trust estate referred to and described in the said Purchase Money Mortgage be vested in the said Algoma Steel Corporation, Limited (incorporated 1934), and that in lieu and in substitution therefor 26,390 five per cent. preference shares of the said

Algoma Steel Corporation, Limited (incorporated 1934), be issued to and held by the said The Trusts and Guarantee Company, Limited, as trustee as aforesaid; and whereas W. C. Franz, Sir William E. Stavert and John A. McPhail are now receivers and managers of the undertaking, property and assets of the Algoma Steel Corporation, Limited (incorporated 1907), under the authority of orders of the Supreme Court of Ontario; and whereas the said Algoma Steel Corporation, Limited (incorporated 1934), has by its petition prayed for special legislation in respect of the matters hereinbefore and hereinafter set forth; and whereas it is expedient in order to re-establish the steel industry at Sault Ste. Marie in this Province to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**1.** This Act may be cited as *The Algoma Steel Re-establishment Act, 1935.* <sup>Short title.</sup>

**2.** The acquisition and purchase by Algoma Steel Corporation, Limited (incorporated 1934), in the action in the Supreme Court of Ontario in which the said The Toronto General Trusts Corporation, as trustee as aforesaid, is plaintiff and the said Algoma Steel Corporation, Limited (incorporated 1907), and the said The Lake Superior Corporation are defendants, of the trust estate described in the said First and Refunding Mortgage (including all property and assets of every kind in the custody or control of the receivers and managers of the undertaking, property and assets of the said Algoma Steel Corporation, Limited (incorporated 1907), and the judgment in the said action dated the 12th day of February, 1935, and more particularly referred to in Schedule "C" to this Act, in so far as the provisions thereof are not in conflict with the terms of this Act, are hereby ratified and confirmed and declared to be valid and binding upon the persons therein named and the said Algoma Steel Corporation, Limited (incorporated 1934), the said receivers and managers, the said The Toronto General Trusts Corporation, as trustee as aforesaid, the holders of the said First and Refunding Bonds and Chartered Trust and Executor Company, Liquidator of Algoma Steel Corporation, Limited (incorporated 1907), are hereby authorized and empowered to do and perform all acts, matters and things and to execute and deliver all documents necessary or desirable to complete such acquisition and purchase and to carry out the terms of the said judgment.

**3.** Algoma Steel Corporation, Limited (incorporated 1934), is authorized to issue 26,390 of its preference shares of a par <sup>Issue of shares as substitutional trust estate.</sup>

value of \$100 each to the said The Trusts and Guarantee Company, Limited, as trustee as aforesaid, and the said The Trusts and Guarantee Company, Limited, as trustee as aforesaid, is authorized to accept the said preference shares in substitution for and in lieu of the trust estate described in the said Purchase Money Mortgage (including all property and assets of every kind in the custody or control of the said receivers and managers of the undertaking, property and assets of the said Algoma Steel Corporation, Limited (incorporated 1907), and the said The Trusts and Guarantee Company, Limited, as trustee as aforesaid, the said receivers and managers, the said Algoma Steel Corporation, Limited (incorporated 1934), are authorized to do all acts or things necessary or desirable to complete such substitution.

*Vesting of properties of Steel Corporation.*

4. All the undertaking, property and assets of the said Algoma Steel Corporation, Limited (incorporated 1907), (including all property and assets of every kind in the custody or control of the said receivers and managers of the undertaking, property and assets of the said Algoma Steel Corporation, Limited (incorporated 1907), are hereby vested in Algoma Steel Corporation, Limited (incorporated 1934), free and clear of the charge thereon of the receivers' certificates issued by the said receivers and managers and of the trusts of the said First and Refunding and Purchase Money Mortgages and of any equity of redemption.

*Application of Act to certain interests.*

5. This Act shall be binding upon The Toronto General Trusts Corporation, as trustee as aforesaid; the holders from time to time of the First and Refunding Bonds of Algoma Steel Corporation, Limited, issued in pursuance of the said First and Refunding Mortgage dated the 1st day of April, A.D. 1912; The Trusts and Guarantee Company, Limited, as trustee as aforesaid and the holders from time to time of the said Purchase Money Bonds of Algoma Steel Corporation, Limited, issued in pursuance of the said Purchase Money Mortgage dated the 1st day of April, A.D. 1912; the Liquidator of Algoma Steel Corporation, Limited (incorporated 1907); the said receivers and managers; and Algoma Steel Corporation, Limited (incorporated 1934); and all persons having any interest in the said undertaking, property and assets of the said Algoma Steel Corporation, Limited (incorporated 1907).

*Commencement of Act.*

6. This Act shall come into force on a day to be named by the Lieutenant-Governor by his Proclamation.

## SCHEDULE "A"

The Assets referred to—

- (a) The "mortgaged premises" referred to and described in the First and Refunding Mortgage of Algoma Steel Corporation, Limited (incorporated 1907), and
- (b) The "pledged securities" referred to and described in the said First and Refunding Mortgage,

and being all the property described in paragraphs (a) to (e) inclusive of the granting clauses of the said First and Refunding Mortgage (including all property and assets of every kind in the custody or control of the Receivers and Managers of the undertaking, property and assets of Algoma Steel Corporation, Limited (incorporated 1907), appointed by the Supreme Court of Ontario in actions brought for the enforcement of the said Mortgage and of the Purchase Money Mortgage of Algoma Steel Corporation, Limited (incorporated 1907).

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## SCHEDULE "B"

Indenture of Mortgage or Deed of Trust made as of the 1st day of April, A.D. 1912, between Algoma Steel Corporation, Limited, a Company duly incorporated under the laws of the Province of Ontario, of the first part; United States Mortgage and Trust Company, a Company duly incorporated under the laws of the State of New York, of the second part, and The Lake Superior Corporation, a Company duly incorporated under the laws of the State of New Jersey, of the third part (known as the First and Refunding Mortgage), to secure payment of the First and Refunding Mortgage Five Per Cent. Fifty-Year Sinking Fund Gold Bonds of Algoma Steel Corporation, Limited, to the aggregate amount of Thirty Million Dollars, registered on the 13th day of June, 1912, in the Registry Office for the Registry Division of Algoma, in Book R for Sault Ste. Marie, as Number 20208, and filed in the Office of Land Titles at Sault Ste. Marie on the 17th day of October, 1912, as Number 11285.

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## SCHEDULE "C"

### IN THE SUPREME COURT OF ONTARIO

THE HONOURABLE	{	Tuesday, the 12th day of
MR. JUSTICE J. A. McEvoy		February, A.D. 1935.

BETWEEN:

THE TORONTO GENERAL TRUSTS CORPORATION,  
Trustee under a Mortgage dated the 1st day of  
April, A.D. 1912, and made between Algoma Steel  
Corporation, Limited, of the First Part, United  
States Mortgage & Trust Company, of the Second  
Part, and The Lake Superior Corporation, of the  
Third Part, and known as "The First and Refunding  
Mortgage,"

PLAINTIFF,

—and—

ALGOMA STEEL CORPORATION, LIMITED and THE  
LAKE SUPERIOR CORPORATION,

DEFENDANTS.

Upon motion made unto this Court this day by Counsel on behalf of the Plaintiff, in the presence of Counsel for Chartered Trust and Executor

Company, the Liquidator of the Defendant Algoma Steel Corporation, Limited, for Donald McK. McClelland, Liquidator of the Defendant The Lake Superior Corporation, for Algoma Steel Corporation, Limited (incorporated 1934) and of Counsel for The Lake Superior Investment Company, for Dunn, Fisher & Co., and for Algoma Consolidated Corporation Limited, holders of First and Refunding Mortgage 5% 50-Year Sinking Fund Gold Bonds of the Defendant Algoma Steel Corporation, Limited secured by the above mentioned First and Refunding Mortgage, and for the Bank of Montreal, claiming to be a secured creditor of the said Defendant Algoma Steel Corporation, Limited, for judgment and for an order in respect of the matters hereinafter set forth; upon hearing read the pleadings and proceedings herein, the resolutions of the holders of the said First and Refunding bonds at the meeting held on the 6th day of February, 1935, the Offer of Purchase dated the 19th day of December, 1934, referred to in the said resolutions, the affidavits of Peter Wright, W. C. Franz (2), William Lilley, Gordon C. Lindsay, the said Donald McK. McClelland and John J. Gibson, and the exhibits therein referred to, filed, and upon hearing what was alleged by Counsel aforesaid, and no bondholder or creditor appearing to oppose the said motion, and upon Counsel for Algoma Steel Corporation, Limited (incorporated 1934) undertaking to pay the compensation and expenses, including legal fees, of Chartered Trust and Executor Company, Liquidator of the Defendant Algoma Steel Corporation, Limited on completion of the sales and transfers herein referred to:

1. This Court doth declare that the trusts of the said First and Refunding Mortgage ought to be performed and carried into execution, having regard to the said resolutions of the bondholders of the said First and Refunding Mortgage 5% 50-Year Sinking Fund Gold Bonds and to the said Offer of Purchase dated the 19th day of December, 1934, and that the Plaintiff, as Trustee as aforesaid, and Chartered Trust and Executor Company, Liquidator of the Defendant Algoma Steel Corporation, Limited, should do all such acts as may be required to give effect to the said Offer and the said resolutions; and doth order and adjudge the same accordingly.
2. And this Court doth sanction and direct the sales and transfers contemplated by the said Offer of Purchase dated the 19th day of December, 1934, and doth direct the said Plaintiff, as Trustee as aforesaid, to exercise all or any of the powers conferred on the Trustee under the said First and Refunding Mortgage; and doth order and adjudge the same accordingly.
3. And this Court doth authorize and direct the distribution by the Plaintiff, as Trustee as aforesaid, among the holders of the said First and Refunding Bonds, with First October, 1932 and all subsequent coupons attached, in payment on account of the said bonds and coupons, of the no par common shares to be issued to the said Plaintiff, as Trustee as aforesaid, as part of the consideration of the said sales, as set out in the said Offer of Purchase dated the 19th day of December, 1934, by the delivery to each such holder of one no par common share for each principal sum of \$200.00 of the said bonds held by such holders respectively (or the Sterling equivalent thereof, at the rate of \$4.86-2/3 to the pound, as provided in the said First and Refunding Mortgage), and in respect of any balance of principal by the delivery of scrip certificates for fractional shares redeemable in no par common shares on the above basis, in such manner as the Plaintiff, as Trustee as aforesaid, may see fit; provided, however, that the Plaintiff, as Trustee as aforesaid, do insert an advertisement, in the form in the Schedule hereto annexed, once a month for three consecutive months in each of the following newspapers:—The New York Times, published in the City of New York, U.S.A.; The Times, published in London, England; and The Globe, published in the City of Toronto, Canada; and this Court doth order and adjudge the same accordingly.

4. And this Court doth further order and adjudge that the Plaintiff, as Trustee as aforesaid, the Chartered Trust and Executor Company, Liquidator of the Defendant Algoma Steel Corporation, Limited, and the Receivers and Managers of the undertaking, property and assets of the Defendant Algoma Steel Corporation, Limited, comprised in and subject to the security created by the said First and Refunding Mortgage and the Purchase Money Mortgage of the Defendant Algoma Steel Corporation,

Limited, do join in, execute and deliver proper conveyances of the undertaking, property and assets set out in the said Offer of Purchase dated the 19th day of December, 1934, subject, however, to the charge of the said Purchase Money Mortgage, and to the lien, if any, of the Bank of Montreal under or by virtue of security given to the said Bank under the provisions of Section 88 of *The Bank Act*, and a general assignment of book debts.

5. And this Court doth further declare that the matters herein ordered and adjudged are so ordered and adjudged without prejudice to and reserving the rights of the said First and Refunding bondholders and those of the said Plaintiff, as Trustee as aforesaid, against the Defendant The Lake Superior Corporation, under the covenants for payment contained in the said First and Refunding Mortgage and endorsed on the said First and Refunding bonds; and doth order and adjudge the same accordingly.

6. And this Court doth further order and adjudge that no action shall be taken to carry out the terms of this judgment and order until the legislation referred to in the said Offer of Purchase dated the 19th day of December, 1934, has been enacted by the Legislative Assembly of the Province of Ontario.

Judgment signed this 15th day of February, A.D. 1935.

H. B. PALEN,  
Assistant Registrar, S.C.O.

Entered J. B. 62 pages 158-59-60,  
February 15, 1935.  
"V. C."

#### SCHEDULE "D"

Indenture of Mortgage or Deed of Trust, made as of the 1st day of April, A.D. 1912, between Algoma Steel Corporation, Limited, a Company duly incorporated under the laws of the Province of Ontario, of the First Part, and United States Mortgage and Trust Company, a Company duly incorporated under the laws of the State of New York, of the Second Part (known as the "Purchase Money Mortgage"), to secure the Purchase Money Five Per Cent. Bonds of Algoma Steel Corporation, Limited, to the amount of Five Million Eight Hundred Thousand Dollars, registered on the 10th day of June, 1912, in the Registry Office for the Registry Division of Algoma, in Book R for Sault Ste. Marie, as Number 20186, and filed in the Office of Land Titles at Sault Ste. Marie on the 17th day of October, 1912, as Number 11284.

BILL

An Act respecting Algoma Steel  
Corporation, Limited.

*1st Reading*

February 28th, 1935

*2nd Reading*

April 3rd, 1935

*3rd Reading*

April 10th, 1935

MR. ROBERTS

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the Township of York.

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MR. GARDHOUSE

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(PRIVATE BILL)

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 18

1935

# BILL

## An Act respecting the Township of York.

**Preamble.**

**W**HHEREAS the corporation of the township of York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

1. This Act may be cited as *The Township of York Act, 1935*.

**Rev. Stat.,  
c. 238, s. 14,  
applicable to  
York.** 2. For the purposes of sections 14 and 15 of *The Assessment Act* the township of York shall be deemed a village, and the said sections shall be applicable to the said township accordingly.

**Extension of  
1926, c. 55,  
subs. 2 until  
1929,  
(Annexa-  
tions).** 3. Subsection 2 of section 5 of *The Township of York Act, 1926*, as amended by section 15 of *The Township of York Act, 1929*, is further amended by striking out the figures "1936" where they appear in the said subsection and inserting in lieu thereof the figures "1939".

**Amalgama-  
tion of sewer  
or water  
areas.**

4. The said corporation may by by-law amalgamate two or more or all sewer sections or areas or two or more or all water areas in the said township into one sewer area or one water area or make the whole of the said township or any portion thereof one sewer section or area or one water section or area.

**Dissolution  
of Fire  
Areas.**

5.—(1) The said corporation may by by-law dissolve the fire sections or areas of the said township and the boards of trustees thereof, and provide for the administration of a fire department for the said township and of any community halls therein by the council for the benefit of and at the expense of the corporation.

**1930, c. 109,  
s. 10, subs. 3  
repealed.**

(2) Subsection 3 of section 10 of *The Township of York Act, 1930*, is hereby repealed.



Dissolution  
of separate  
transporta-  
tion areas.

**6.**—(1) The said corporation may by by-law provide that each district or area of the said township in which it has been declared by by-law heretofore passed that a street railway serves the inhabitants thereof, or which has otherwise been declared or defined by statute, by-law or agreement as a transportation district or area, shall be dissolved and cease to exist as a separate transportation district or area, and thereafter the whole of the said township shall be deemed to be one transportation district or area for the purpose of such statute, by-law or agreement.

Exceptions.

(2) Nothing in this section shall be deemed to affect the provisions contained in section 7 of *The Weston and York Transportation Act, 1926*, or the provisions contained in any agreements made with the Toronto Transportation Commission for the operation of street railways in the township of York.

Adjustment  
of rights and  
claims.

**7.**—(1) All rights and claims between the respective parts of the said township made into one sewer, water, fire or transportation area under the authority of this Act shall be valued, adjusted and determined in an equitable manner by a referee to be appointed by the Ontario Municipal Board within three months after the passing of a by-law to effect such amalgamation or dissolution.

Jurisdiction  
of Municipal  
Board and  
Referee.

(2) The Ontario Municipal Board and any referee appointed by it shall have and may exercise such jurisdiction and powers as may be necessary for the purpose of having all or any of the said rights and claims valued, adjusted and determined, and the provisions of *The Ontario Municipal Board Act, 1932*, shall be applicable.

Referee and  
his report.

(3) A referee appointed under this section shall proceed to hear and report upon such rights and claims as may have been referred to him subject to such orders and directions as the said board may from time to time make or issue, and he shall submit his report to the said board within three months after the time of his appointment or within such further time as the said board may allow, and a referee shall for his services be paid such fee as the said board may direct and allow.

Consideration  
of report  
by Muni-  
cipal Board.

(4) Upon the report of a referee being filed with the said board it shall forthwith take the same into its consideration and may hear such representations in respect thereto as it may see fit, and before adopting any such report the said board may remit the same to the referee for his further consideration.

Adoption of  
report by  
Municipal  
Board.

(5) The said board may by its order adopt, vary or amend the report of any referee appointed under this section, and the order of the said board adopting such report or varying



or amending the same shall be final and conclusive and not open to question or appeal, and the terms thereof shall be binding upon the said corporation and the ratepayers thereof or of any area affected thereby.

Imposition  
of special  
rates.

(6) The council of the said corporation shall impose and levy annually such special rates against the lands assessable therefor as may be directed in any order of the said board for the purpose of adjusting the said rights and claims.

When  
by-laws  
relating  
to areas  
take effect.

(7) No by-law passed under the authority of sections 4, 5 or 6 shall come into force or take effect until such time as the said board may by its order direct, and no such order shall be issued until the said board has made an order under subsection 5 hereof.

Licensing  
of drainmen.

**8.**—(1) The said corporation may pass by-laws for defining, licensing, regulating and governing drainmen.

Enforcement  
of by-law.

(2) The provisions of any by-law passed under the authority of this section shall be enforceable in the same way and to the same extent as a by-law passed under the authority of *The Municipal Act*.

Licensing of  
lending  
libraries.

**9.**—(1) The said corporation may pass by-laws for licensing, regulating and governing lending libraries which are carried on or operated for the purpose of profit or gain.

License fee.

(2) The fee to be paid for the license shall not exceed \$2.

Exceptions.

(3) Nothing in this paragraph contained shall apply to or affect the lending or circulation of books, magazines, periodicals or other printed works by any religious body or incorporated educational institution. .

Enforcement  
of by-law.

(4) The provisions of any by-law passed under the authority of this paragraph shall be enforceable in the same way and to the same extent as a by-law passed under the authority of *The Municipal Act*.

Rev. Stat.  
c. 233.

**10.**—(1) The said corporation may by by-law which for its validity shall not require the assent of the electors qualified to vote on money by-laws, exempt wholly or partially from municipal taxation, except taxation for school purposes and local improvements for the whole or any part of the period of five years next ensuing from and after the 1st day of January, 1935, all new dwelling houses erected in the said township during the said period.

Cessation of  
operation of  
existing by-  
law.

(2) The provisions of the by-law heretofore passed by the council of the said corporation under the authority of section 8



of *The Township of York Act, 1933*, shall cease to apply to any dwelling houses erected in the said township after the date upon which new buildings become entitled to any exemption under the provisions of a by-law passed under the authority of this section.

By-law No.  
11387  
relating to  
audits  
confirmed.

**11.** By-law No. 11387 of the said corporation passed on the 15th day of October, 1934, to appoint an auditor for the said corporation is hereby ratified and confirmed, and while the same remains in force shall be legal valid and binding upon the said corporation and the local boards and corporations mentioned therein; and the said auditor is authorized and empowered to carry out his duties and obligations and exercise his rights thereunder.

Commence-  
ment of Act.

**12.** This Act shall come into force on the day upon which it receives the Royal Assent.



## SCHEDULE

### A BY-LAW

No. 11,387

To appoint an Auditor for the Corporation of the Township of York.

Whereas the Council is authorized under the provisions of Section 242 of the *Municipal Act* to appoint one or more Auditors, who shall daily or otherwise examine, audit and report on the accounts of the Corporation.

And whereas it is deemed advisable to appoint an Auditor under the said Section 242 of the *Municipal Act*.

Therefore the Municipal Council of the Corporation of the Township of York enacts as follows:

1. That Ronald Cameron Bertram, B. Comm., C.A., be and he is hereby appointed Auditor for the Corporation of the Township of York.

2. That it shall be the duty of the said Auditor:

(a) To examine, check, and audit all books and vouchers and all accounts of receipts and expenditures of the Corporation, each Fire Area and Public Library Board, the Housing Commission of the Township of York, the Police Department and the Board of Police Commissioners of the Township of York.

(b) To examine, check and audit all books and vouchers and all accounts of receipts and expenditures of the York Township Public School Board, the Collegiate Institute Board of the Township of York, and the Board of Education of the Township of York (when organized), and to report to such bodies and to Council the result of such audit.

(c) To examine the books and records of the Toronto Transportation Commission and the Toronto Hydro Electric System in so far as the same may relate to or affect the operations of the Township systems; to check the apportionment of revenues and charges as affecting the Township, and to make such tests and examinations as may be necessary to establish the correctness of the amount of revenues credited to and the charges made against the Township, and of the Statements of Account which may be rendered to the Township; to report to Council from time to time as may be deemed advisable, the result of such examinations.

(d) To make such investigations and examinations and to take all necessary and proper steps to ensure that the Corporation and the said School Boards shall receive from time to time all the grants, subsidies, fines, fees and other revenues to which they are or may be entitled from any source.

(e) To examine, check and certify all progress and final certificates of contract, pay sheets of departments and all accounts and orders on the Treasurer of whatsoever description before payment of the same.

(f) To check from time to time the cash balances of the tellers in the Treasurer's Department, and to certify as to the correctness of the same.

(g) To check the bank balances of the Corporation and of the Public School Board, Collegiate Institute Board and of the Board of Education (when organized) and to verify all such bank balances monthly.

(h) To examine, check and audit all debentures and debenture coupons paid or accrued, and to check all issues of debentures.



(i) To exercise supervision over the methods of bookkeeping and accounting in the various departments, and to make recommendations from time to time as to any changes in the system of accounting and keeping of records.

(j) To take such steps as may be necessary to ensure that all the accounts of the Corporation are kept as required by law, and that all moneys received by the Corporation are kept and used for the purposes legally authorized.

(k) To give such assistance to the Treasurer as may be necessary in the preparation of a monthly statement of current assets and liabilities, and of receipts and disbursements of the Corporation for the previous month, as well as of receipts and disbursements for the current year to the end of the preceding month, which said statement shall set out the amount of the budget appropriation and the amount expended under the several headings for the period shown; and to transmit such statement to Council duly certified on or before the 10th day of each month.

(l) To give such assistance to the Treasurer as may be necessary in the preparation of the annual statement and the annual budget of the Corporation.

(m) To prepare and/or assist in the preparation of the annual estimates and budget of the Corporation and of any local boards thereof, and in the striking of the annual tax rates, as may be requested by Council.

(n) To recommend to Council from time to time the appointment of such additional members to his staff as he may deem necessary; and to recommend to Council the suspension or discharge of any member of his staff where the circumstances in his opinion require such action.

(o) To perform all such duties as may be required of auditors of a municipal corporation under the provisions of the *Municipal Act* and any other Act.

(p) To perform such further and other duties as may be from time to time imposed by by-law or resolution of Council.

3. The auditor shall not approve or certify any accounts or orders on the Treasurer which will result in any department overdrawing its appropriation unless and until such accounts have been first submitted to Council and the necessary additional funds have been appropriated by Council for payment of the same.

The Auditor shall see that each item of expenditure is charged only to the proper appropriation or subdivision of appropriation.

4. The Auditor may require from any Township Official any document or copies of documents, and such information regarding the conduct or affairs of any department as may be necessary for the proper performance of his duties under this by-law, and may require from the Treasurer or other official collecting money a daily, weekly or monthly statement of amounts collected, amounts expended, and the balances in the various banking accounts of the Corporation.

5. The Auditor shall, when he may become aware of any financial shortage in the accounts of any employee of the Corporation, or any of the said School Boards, Commissions, or bodies, forthwith report particulars of the same in writing to the Council.

6. In the event of the absence or illness of the Auditor, or in the event of his office being vacant, his duties shall be performed by the Assistant Auditor, or by any member of the staff of the Auditor authorized by him or by resolution of Council so to do.

7. The Auditor shall be paid for his services as such the sum of \$3,000.00 per annum, payable weekly.



8. The Auditor shall hold office during good behaviour, and shall be removable for cause by the Council upon a vote of two-thirds of the members thereof.

9. By-law No. 9985 and any other by-law inconsistent herewith is hereby repealed, provided however that the Auditors appointed under said By-law No. 9985 shall complete their work under said by-law for the period ending on the 31st day of October, 1934.

10. This By-law shall come into force and effect on, from and after the 31st day of October, 1934.

Enacted and passed this 15th day of October, 1934.

R. J. STUART,  
Reeve.

JOHN HARVEY,  
Clerk.



BILL

An Act respecting the Township of York.

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. GARDHOUSE

(*Private Bill*)

No. 18

---

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the Township of York.

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MR. GARDHOUSE

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(PRIVATE BILL)

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# BILL

## An Act respecting the Township of York.

**Preamble.**

**W**HEREAS the corporation of the township of York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

1. This Act may be cited as *The Township of York Act, 1935*.

Rev. Stat.,  
c. 238, s. 14,  
applicable to  
York.

2. For the purposes of sections 14 and 15 of *The Assessment Act* the township of York shall be deemed a village, and the said sections shall be applicable to the said township accordingly.

Extension of  
1926, c. 55,  
subs. 2 until  
1939,  
(Annexa-  
tions).

3. Subsection 2 of section 5 of *The Township of York Act, 1926*, as amended by section 15 of *The Township of York Act, 1929*, is further amended by striking out the figures "1936" where they appear in the said subsection and inserting in lieu thereof the figures "1939".

Amalgama-  
tion of sewer  
or water  
areas.

4. The said corporation may by by-law amalgamate two or more or all sewer sections or areas or two or more or all water areas in the said township into one sewer area or one water area or make the whole of the said township or any portion thereof one sewer section or area or one water section or area.

Dissolution  
of Fire  
Areas.

5.—(1) The said corporation may by by-law dissolve the fire sections or areas of the said township and the boards of trustees thereof, and provide for the administration of a fire department for the said township and of any community halls therein by the council for the benefit of and at the expense of the corporation.

1930, c. 109,  
s. 10, subs. 3  
repealed.

(2) Subsection 3 of section 10 of *The Township of York Act, 1930*, is hereby repealed.



Dissolution  
of separate  
transporta-  
tion areas.

**6.**—(1) The said corporation may by by-law provide that each district or area of the said township in which it has been declared by by-law heretofore passed that a street railway serves the inhabitants thereof, or which has otherwise been declared or defined by statute, by-law or agreement as a transportation district or area, shall be dissolved and cease to exist as a separate transportation district or area, and thereafter the whole of the said township shall be deemed to be one transportation district or area for the purpose of such statute, by-law or agreement.

Exceptions.

(2) Nothing in this section shall be deemed to affect the provisions contained in section 7 of *The Weston and York Transportation Act, 1926*, or the provisions contained in any agreements made with the Toronto Transportation Commission for the operation of street railways in the township of York.

Adjustment  
of rights and  
claims.

**7.**—(1) All rights and claims between the respective parts of the said township made into one sewer, water, fire or transportation area under the authority of this Act shall be valued, adjusted and determined in an equitable manner by a referee to be appointed by the Ontario Municipal Board within three months after the passing of a by-law to effect such amalgamation or dissolution.

Jurisdiction  
of Municipal  
Board and  
Referee.

(2) The Ontario Municipal Board and any referee appointed by it shall have and may exercise such jurisdiction and powers as may be necessary for the purpose of having all or any of the said rights and claims valued, adjusted and determined, and the provisions of *The Ontario Municipal Board Act, 1932*, shall be applicable.

Referee and  
his report.

(3) A referee appointed under this section shall proceed to hear and report upon such rights and claims as may have been referred to him subject to such orders and directions as the said board may from time to time make or issue, and he shall submit his report to the said board within three months after the time of his appointment or within such further time as the said board may allow, and a referee shall for his services be paid such fee as the said board may direct and allow.

Considera-  
tion of report  
by Munici-  
pal Board.

(4) Upon the report of a referee being filed with the said board it shall forthwith take the same into its consideration and may hear such representations in respect thereto as it may see fit, and before adopting any such report the said board may remit the same to the referee for his further consideration.

Adoption of  
report by  
Municipal  
Board.

(5) The said board may by its order adopt, vary or amend the report of any referee appointed under this section, and the order of the said board adopting such report or varying



or amending the same shall be final and conclusive and not open to question or appeal, and the terms thereof shall be binding upon the said corporation and the ratepayers thereof or of any area affected thereby.

Imposition  
of special  
rates.

(6) The council of the said corporation shall impose and levy annually such special rates against the lands assessable therefor as may be directed in any order of the said board for the purpose of adjusting the said rights and claims.

When  
by-laws  
relating  
to areas  
take effect.

(7) No by-law passed under the authority of sections 4, 5 or 6 shall come into force or take effect until such time as the said board may by its order direct, and no such order shall be issued until the said board has made an order under subsection 5 hereof.

Licensing  
of drainmen.

**8.**—(1) The said corporation may pass by-laws for defining, licensing, regulating and governing drainmen.

Enforcement  
of by-law.

(2) The provisions of any by-law passed under the authority of this section shall be enforceable in the same way and to the same extent as a by-law passed under the authority of *The Municipal Act*.

Rev. Stat.,  
c. 233.

**9.**—(1) The said corporation may by by-law which for its validity shall not require the assent of the electors qualified to vote on money by-laws, exempt wholly or partially from municipal taxation, except taxation for school purposes and local improvements for the whole or any part of the period of five years next ensuing from and after the 1st day of January, 1935, all new dwelling houses erected in the said township during the said period.

Cessation of  
operation of  
existing by-  
law.

(2) The provisions of the by-law heretofore passed by the council of the said corporation under the authority of section 8 of *The Township of York Act, 1933*, shall cease to apply to any dwelling houses erected in the said township after the date upon which new buildings become entitled to any exemption under the provisions of a by-law passed under the authority of this section.

By-law No.  
11387  
relating to  
audits  
confirmed.

**10.** By-law No. 11387 of the said corporation except clause *m* of section 2 thereof passed on the 15th day of October, 1934, to appoint an auditor for the said corporation is hereby ratified and confirmed, and while the same remains in force shall be legal valid and binding upon the said corporation and the local boards and corporations mentioned therein; and the said auditor is authorized and empowered to carry out his duties and obligations and exercise his rights thereunder.

Commencement  
of Act.

**11.** This Act shall come into force on the day upon which it receives the Royal Assent.



## SCHEDULE

### A BY-LAW

No. 11,387

To appoint an Auditor for the Corporation of the Township of York.

Whereas the Council is authorized under the provisions of Section 242 of the *Municipal Act* to appoint one or more Auditors, who shall daily or otherwise examine, audit and report on the accounts of the Corporation.

And whereas it is deemed advisable to appoint an Auditor under the said Section 242 of the *Municipal Act*.

Therefore the Municipal Council of the Corporation of the Township of York enacts as follows:

1. That Ronald Cameron Bertram, B. Comm., C.A., be and he is hereby appointed Auditor for the Corporation of the Township of York.

2. That it shall be the duty of the said Auditor:

(a) To examine, check, and audit all books and vouchers and all accounts of receipts and expenditures of the Corporation, each Fire Area and Public Library Board, the Housing Commission of the Township of York, the Police Department and the Board of Police Commissioners of the Township of York.

(b) To examine, check and audit all books and vouchers and all accounts of receipts and expenditures of the York Township Public School Board, the Collegiate Institute Board of the Township of York, and the Board of Education of the Township of York (when organized), and to report to such bodies and to Council the result of such audit.

(c) To examine the books and records of the Toronto Transportation Commission and the Toronto Hydro Electric System in so far as the same may relate to or affect the operations of the Township systems; to check the apportionment of revenues and charges as affecting the Township, and to make such tests and examinations as may be necessary to establish the correctness of the amount of revenues credited to and the charges made against the Township, and of the Statements of Account which may be rendered to the Township; to report to Council from time to time as may be deemed advisable, the result of such examinations.

(d) To make such investigations and examinations and to take all necessary and proper steps to ensure that the Corporation and the said School Boards shall receive from time to time all the grants, subsidies, fines, fees and other revenues to which they are or may be entitled from any source.

(e) To examine, check and certify all progress and final certificates of contract, pay sheets of departments and all accounts and orders on the Treasurer of whatsoever description before payment of the same.

(f) To check from time to time the cash balances of the tellers in the Treasurer's Department, and to certify as to the correctness of the same.

(g) To check the bank balances of the Corporation and of the Public School Board, Collegiate Institute Board and of the Board of Education (when organized) and to verify all such bank balances monthly.

(h) To examine, check and audit all debentures and debenture coupons paid or accrued, and to check all issues of debentures.



(i) To exercise supervision over the methods of bookkeeping and accounting in the various departments, and to make recommendations from time to time as to any changes in the system of accounting and keeping of records.

(j) To take such steps as may be necessary to ensure that all the accounts of the Corporation are kept as required by law, and that all moneys received by the Corporation are kept and used for the purposes legally authorized.

(k) To give such assistance to the Treasurer as may be necessary in the preparation of a monthly statement of current assets and liabilities, and of receipts and disbursements of the Corporation for the previous month, as well as of receipts and disbursements for the current year to the end of the preceding month, which said statement shall set out the amount of the budget appropriation and the amount expended under the several headings for the period shown; and to transmit such statement to Council duly certified on or before the 10th day of each month.

(l) To give such assistance to the Treasurer as may be necessary in the preparation of the annual statement and the annual budget of the Corporation.

(m) To prepare and/or assist in the preparation of the annual estimates and budget of the Corporation and of any local boards thereof, and in the striking of the annual tax rates, as may be requested by Council.

(n) To recommend to Council from time to time the appointment of such additional members to his staff as he may deem necessary; and to recommend to Council the suspension or discharge of any member of his staff where the circumstances in his opinion require such action.

(o) To perform all such duties as may be required of auditors of a municipal corporation under the provisions of the *Municipal Act* and any other Act.

(p) To perform such further and other duties as may be from time to time imposed by by-law or resolution of Council.

3. The auditor shall not approve or certify any accounts or orders on the Treasurer which will result in any department overdrawing its appropriation unless and until such accounts have been first submitted to Council and the necessary additional funds have been appropriated by Council for payment of the same.

The Auditor shall see that each item of expenditure is charged only to the proper appropriation or subdivision of appropriation.

4. The Auditor may require from any Township Official any document or copies of documents, and such information regarding the conduct or affairs of any department as may be necessary for the proper performance of his duties under this by-law, and may require from the Treasurer or other official collecting money a daily, weekly or monthly statement of amounts collected, amounts expended, and the balances in the various banking accounts of the Corporation.

5. The Auditor shall, when he may become aware of any financial shortage in the accounts of any employee of the Corporation, or any of the said School Boards, Commissions, or bodies, forthwith report particulars of the same in writing to the Council.

6. In the event of the absence or illness of the Auditor, or in the event of his office being vacant, his duties shall be performed by the Assistant Auditor, or by any member of the staff of the Auditor authorized by him or by resolution of Council so to do.

7. The Auditor shall be paid for his services as such the sum of \$3,000.00 per annum, payable weekly.



8. The Auditor shall hold office during good behaviour, and shall be removable for cause by the Council upon a vote of two-thirds of the members thereof.

9. By-law No. 9985 and any other by-law inconsistent herewith is hereby repealed, provided however that the Auditors appointed under said By-law No. 9985 shall complete their work under said by-law for the period ending on the 31st day of October, 1934.

10. This By-law shall come into force and effect on, from and after the 31st day of October, 1934.

Enacted and passed this 15th day of October, 1934.

R. J. STUART,  
Reeve.

JOHN HARVEY,  
Clerk.







BILL

An Act respecting the Township of York.

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*1st Reading*

March 12th, 1935

*2nd Reading*

*3rd Reading*

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MR. GARDHOUSE

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(Reprinted as amended by the Private Bills  
Committee)

No. 18

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the Township of York.

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MR. GARDHOUSE

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 18

1935

# BILL

## An Act respecting the Township of York.

Preamble.

**W**HEREAS the corporation of the township of York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Township of York Act, 1935*.

Rev. Stat., c. 238, s. 1<sup>4</sup>, applicable to York. 2. For the purposes of sections 14 and 15 of *The Assessment Act* the township of York shall be deemed a village, and the said sections shall be applicable to the said township accordingly.

Extension of 1926, c. 55, subs. 2 until 1926, as amended by section 15 of *The Township of York Act, 1939, (Annexations).* 1929, is further amended by striking out the figures "1936" where they appear in the said subsection and inserting in lieu thereof the figures "1939".

Amalgamation of sewer or water areas.

4. The said corporation may by by-law amalgamate two or more or all sewer sections or areas or two or more or all water areas in the said township into one sewer area or one water area or make the whole of the said township or any portion thereof one sewer section or area or one water section or area.

Dissolution of Fire Areas.

5.—(1) The said corporation may by by-law dissolve the fire sections or areas of the said township and the boards of trustees thereof, and provide for the administration of a fire department for the said township and of any community halls therein by the council for the benefit of and at the expense of the corporation.

1930, c. 109, s. 10, subs. 3 repealed. (2) Subsection 3 of section 10 of *The Township of York Act, 1930*, is hereby repealed.

**6.**—(1) The said corporation may by by-law provide that each district or area of the said township in which it has been declared by by-law heretofore passed that a street railway serves the inhabitants thereof, or which has otherwise been declared or defined by statute, by-law or agreement as a transportation district or area, shall be dissolved and cease to exist as a separate transportation district or area, and thereafter the whole of the said township shall be deemed to be one transportation district or area for the purpose of such statute, by-law or agreement. Dissolution of separate transportation areas.

(2) Nothing in this section shall be deemed to affect the provisions contained in section 7 of *The Weston and York Transportation Act, 1926*, or the provisions contained in any agreements made with the Toronto Transportation Commission for the operation of street railways in the township of York. Exceptions.

**7.**—(1) All rights and claims between the respective parts of the said township made into one sewer, water, fire or transportation area under the authority of this Act shall be valued, adjusted and determined in an equitable manner by a referee to be appointed by the Ontario Municipal Board within three months after the passing of a by-law to effect such amalgamation or dissolution. Adjustment of rights and claims.

(2) The Ontario Municipal Board and any referee appointed by it shall have and may exercise such jurisdiction and powers as may be necessary for the purpose of having all or any of the said rights and claims valued, adjusted and determined, and the provisions of *The Ontario Municipal Board Act, 1932*, shall be applicable. Jurisdiction of Municipal Board and Referee.

(3) A referee appointed under this section shall proceed to hear and report upon such rights and claims as may have been referred to him subject to such orders and directions as the said board may from time to time make or issue, and he shall submit his report to the said board within three months after the time of his appointment or within such further time as the said board may allow, and a referee shall for his services be paid such fee as the said board may direct and allow. Referee and his report.

(4) Upon the report of a referee being filed with the said board it shall forthwith take the same into its consideration and may hear such representations in respect thereto as it may see fit, and before adopting any such report the said board may remit the same to the referee for his further consideration. Consideration of report by Municipal Board.

(5) The said board may by its order adopt, vary or amend the report of any referee appointed under this section, and the order of the said board adopting such report or varying Adoption of report by Municipal Board.

or amending the same shall be final and conclusive and not open to question or appeal, and the terms thereof shall be binding upon the said corporation and the ratepayers thereof or of any area affected thereby.

Imposition  
of special  
rates.

(6) The council of the said corporation shall impose and levy annually such special rates against the lands assessable therefor as may be directed in any order of the said board for the purpose of adjusting the said rights and claims.

When  
by-laws  
relating  
to areas  
take effect.

(7) No by-law passed under the authority of sections 4, 5 or 6 shall come into force or take effect until such time as the said board may by its order direct, and no such order shall be issued until the said board has made an order under subsection 5 hereof.

Licensing  
of drainmen.

**8.**—(1) The said corporation may pass by-laws for defining, licensing, regulating and governing drainmen.

Enforcement  
of by-law.

(2) The provisions of any by-law passed under the authority of this section shall be enforceable in the same way and to the same extent as a by-law passed under the authority of *The Municipal Act*.

Rev. Stat.,  
c. 233.

**9.**—(1) The said corporation may by by-law which for its validity shall not require the assent of the electors qualified to vote on money by-laws, exempt wholly or partially from municipal taxation, except taxation for school purposes and local improvements for the whole or any part of the period of five years next ensuing from and after the 1st day of January, 1935, all new dwelling houses erected in the said township during the said period.

Cessation of  
operation of  
existing by-  
law.

(2) The provisions of the by-law heretofore passed by the council of the said corporation under the authority of section 8 of *The Township of York Act, 1933*, shall cease to apply to any dwelling houses erected in the said township after the date upon which new buildings become entitled to any exemption under the provisions of a by-law passed under the authority of this section.

By-law No.  
11387  
relating to  
audits  
confirmed.

**10.** By-law No. 11387 of the said corporation except clause *m* of section 2 thereof passed on the 15th day of October, 1934, to appoint an auditor for the said corporation is hereby ratified and confirmed, and while the same remains in force shall be legal valid and binding upon the said corporation and the local boards and corporations mentioned therein; and the said auditor is authorized and empowered to carry out his duties and obligations and exercise his rights thereunder.

Commencement of Act.

**11.** This Act shall come into force on the day upon which it receives the Royal Assent.

## SCHEDULE

### A BY-LAW

No. 11,387

To appoint an Auditor for the Corporation of the Township of York.

Whereas the Council is authorized under the provisions of Section 242 of the *Municipal Act* to appoint one or more Auditors, who shall daily or otherwise examine, audit and report on the accounts of the Corporation.

And whereas it is deemed advisable to appoint an Auditor under the said Section 242 of the *Municipal Act*.

Therefore the Municipal Council of the Corporation of the Township of York enacts as follows:

1. That Ronald Cameron Bertram, B. Comm., C.A., be and he is hereby appointed Auditor for the Corporation of the Township of York.

2. That it shall be the duty of the said Auditor:

(a) To examine, check, and audit all books and vouchers and all accounts of receipts and expenditures of the Corporation, each Fire Area and Public Library Board, the Housing Commission of the Township of York, the Police Department and the Board of Police Commissioners of the Township of York.

(b) To examine, check and audit all books and vouchers and all accounts of receipts and expenditures of the York Township Public School Board, the Collegiate Institute Board of the Township of York, and the Board of Education of the Township of York (when organized), and to report to such bodies and to Council the result of such audit.

(c) To examine the books and records of the Toronto Transportation Commission and the Toronto Hydro Electric System in so far as the same may relate to or affect the operations of the Township systems; to check the apportionment of revenues and charges as affecting the Township, and to make such tests and examinations as may be necessary to establish the correctness of the amount of revenues credited to and the charges made against the Township, and of the Statements of Account which may be rendered to the Township; to report to Council from time to time as may be deemed advisable, the result of such examinations.

(d) To make such investigations and examinations and to take all necessary and proper steps to ensure that the Corporation and the said School Boards shall receive from time to time all the grants, subsidies, fines, fees and other revenues to which they are or may be entitled from any source.

(e) To examine, check and certify all progress and final certificates of contract, pay sheets of departments and all accounts and orders on the Treasurer of whatsoever description before payment of the same.

(f) To check from time to time the cash balances of the tellers in the Treasurer's Department, and to certify as to the correctness of the same.

(g) To check the bank balances of the Corporation and of the Public School Board, Collegiate Institute Board and of the Board of Education (when organized) and to verify all such bank balances monthly.

(h) To examine, check and audit all debentures and debenture coupons paid or accrued, and to check all issues of debentures.

(i) To exercise supervision over the methods of bookkeeping and accounting in the various departments, and to make recommendations from time to time as to any changes in the system of accounting and keeping of records.

(j) To take such steps as may be necessary to ensure that all the accounts of the Corporation are kept as required by law, and that all moneys received by the Corporation are kept and used for the purposes legally authorized.

(k) To give such assistance to the Treasurer as may be necessary in the preparation of a monthly statement of current assets and liabilities, and of receipts and disbursements of the Corporation for the previous month, as well as of receipts and disbursements for the current year to the end of the preceding month, which said statement shall set out the amount of the budget appropriation and the amount expended under the several headings for the period shown; and to transmit such statement to Council duly certified on or before the 10th day of each month.

(l) To give such assistance to the Treasurer as may be necessary in the preparation of the annual statement and the annual budget of the Corporation.

(m) To prepare and/or assist in the preparation of the annual estimates and budget of the Corporation and of any local boards thereof, and in the striking of the annual tax rates, as may be requested by Council.

(n) To recommend to Council from time to time the appointment of such additional members to his staff as he may deem necessary; and to recommend to Council the suspension or discharge of any member of his staff where the circumstances in his opinion require such action.

(o) To perform all such duties as may be required of auditors of a municipal corporation under the provisions of the *Municipal Act* and any other Act.

(p) To perform such further and other duties as may be from time to time imposed by by-law or resolution of Council.

3. The auditor shall not approve or certify any accounts or orders on the Treasurer which will result in any department overdrawing its appropriation unless and until such accounts have been first submitted to Council and the necessary additional funds have been appropriated by Council for payment of the same.

The Auditor shall see that each item of expenditure is charged only to the proper appropriation or subdivision of appropriation.

4. The Auditor may require from any Township Official any document or copies of documents, and such information regarding the conduct or affairs of any department as may be necessary for the proper performance of his duties under this by-law, and may require from the Treasurer or other official collecting money a daily, weekly or monthly statement of amounts collected, amounts expended, and the balances in the various banking accounts of the Corporation.

5. The Auditor shall, when he may become aware of any financial shortage in the accounts of any employee of the Corporation, or any of the said School Boards, Commissions, or bodies, forthwith report particulars of the same in writing to the Council.

6. In the event of the absence or illness of the Auditor, or in the event of his office being vacant, his duties shall be performed by the Assistant Auditor, or by any member of the staff of the Auditor authorized by him or by resolution of Council so to do.

7. The Auditor shall be paid for his services as such the sum of \$3,000.00 per annum, payable weekly.

8. The Auditor shall hold office during good behaviour, and shall be removable for cause by the Council upon a vote of two-thirds of the members thereof.

9. By-law No. 9985 and any other by-law inconsistent herewith is hereby repealed, provided however that the Auditors appointed under said By-law No. 9985 shall complete their work under said by-law for the period ending on the 31st day of October, 1934.

10. This By-law shall come into force and effect on, from and after the 31st day of October, 1934.

Enacted and passed this 15th day of October, 1934.

R. J. STUART,  
Reeve.

JOHN HARVEY,  
Clerk.

BILL

An Act respecting the Township of York.

*1st Reading*

March 12th, 1935

*2nd Reading*

April 5th, 1935

*3rd Reading*

April 10th, 1935

MR. GARDHOUSE

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the City of Peterborough.

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MR. LANCASTER

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(PRIVATE BILL)

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 19

1935

# BILL

An Act respecting the City of Peterborough.

Preamble.

**W**HEREAS the corporation of the city of Peterborough has by its petition represented that on the 1st day of January, 1935, it submitted to the vote of the duly qualified electors of the said city a proposed by-law to fix the assessment of the property of The Canadian General Electric Company, Limited, and when the said by-law was voted upon by the said electors there were 1,654 votes for the by-law and 1,388 against the by-law, resulting in a majority in favour of the by-law of 266, and has prayed for special legislation in respect to the said by-law as hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The City of Peterborough Act, 1935.*

Authority to amend and pass a by-law to grant a fixed assessment to Canadian General Electric Company.

**2.** The council of the corporation of the city of Peterborough may by the affirmative vote of a majority of the members of the said council present at a regular meeting thereof, or at a special meeting thereof duly called for the purpose amend the said proposed by-law entitled "A By-law to fix the assessment of the property of The Canadian General Electric Company, Limited," by striking out of the enacting clause thereof the words "by the affirmative vote of three-fourths of all the members of the council" and by striking out paragraph number six thereof, and further may by the affirmative vote of a majority of the members of the said council present at a regular meeting thereof or at a special meeting thereof duly called for the purpose finally pass the said proposed by-law as amended as aforesaid and upon the said by-law so amended being finally passed as aforesaid then notwithstanding the provisions of *The Municipal Act* or any other general or special Act to the contrary the said by-law shall be legal and binding upon the said corporation and the ratepayers thereof and upon

Rev. Stat.,  
c. 233.



The Canadian General Electric Company, Limited, its successors and assigns.

Commencement of Act. **3.** This Act shall come into force on the day upon which it receives the Royal Assent.



## BY-LAW NUMBER —————

A BY-LAW to fix the Assessment of the Property of The Canadian General Electric Company, Limited. Passed the —— day of ——— A.D. 1935.

Whereas The Canadian General Electric Company, Limited, at present carrying on a manufacturing business in the City of Peterborough, has requested The Corporation of the City of Peterborough to fix the assessment of its property in the said City of Peterborough hereinafter mentioned together with all the buildings, machinery, plant, fixtures and appliances now upon the said lands hereinafter described or hereafter placed thereon, and used by it for manufacturing purposes, including its business assessment at the sum of \$1,000,000.00 (except for school rates or taxes and local improvement rates or taxes) for a period of ten (10) years commencing on the 1st day of January, 1935.

And whereas the Council of The Corporation of the City of Peterborough deems it expedient and in the interest of the Municipality to grant the said The Canadian General Electric Company, Limited, the fixed assessment hereinafter mentioned upon the terms and conditions hereinafter set out.

Now therefore the Municipal Council of The Corporation of the City of Peterborough by the affirmative vote of three-fourths of all the members of the Council enacts as follows:

1. This By-law shall not come into force and operation until it has been finally passed by this Municipal Council of the Corporation of the City of Peterborough and ratified and confirmed by special legislation of the Province of Ontario.

2. For a period of ten (10) years from the 1st day of January, 1935, taxes shall be levied upon the following lands in the City of Peterborough consisting of Park Lots Numbers Fourteen, Fifteen, Sixteen and Seventeen, in Township Lot Number Thirteen in the Twelfth Concession of the Township of North Monaghan and now in the City of Peterborough except the North Fifty feet of said Park Lot Number Seventeen but including what was formerly that part of Townsend Street between said Park Lots Numbers Sixteen and Seventeen and Lots Numbers Ten and Eleven South of Wolfe Street and West of George Street and Lots Numbers Ten and Eleven North of Townsend Street and West of George Street and Lots Numbers Six, Seven, Eight, Nine, Ten, Eleven, Twelve, Thirteen, Fourteen, Fifteen, Sixteen, Seventeen, Eighteen and Nineteen, on the North side of Albert Street according to Registered Plan Number Thirty for the City of Peterborough and Lots Numbers Twelve and Thirteen South of Rink Street and West of George Street (except that part of Lot Number Twelve owned by the Canadian Pacific Railway Company) and that part of Lots Numbers Twelve and Thirteen North of Perry Street and West of George Street North West of the right-of-way of the Canadian Pacific Railway Company and that part of Lot Number Fourteen South of Townsend Street and West of George Street described as follows:

Commencing at the North East angle of said lot Number Fourteen, thence Southerly along the Eastern limit of the said Lot Forty feet, six inches (40' 6"), thence Westerly in a straight line to a point in the Western limit of the said lot distant twenty-six feet (26') Southerly from the North West angle thereof, thence Northerly along the said Western limit of the said lot twenty-six feet (26') to the North West angle of the said lot, thence Easterly along the Northern limit of the said lot to the place of beginning and on all buildings, machinery, plant, fixtures and appliances of the said The Canadian General Electric Company, Limited, and all its other assessable property within the City of Peterborough, used by it for manufacturing purposes only, or which it may hereafter own or



occupy in connection with its business and on all additions to such buildings, machinery, plant, fixtures and appliances, upon an assessment including its business assessment fixed at the sum of \$1,000,000.00 and the same shall be annually assessed en bloc for all purposes except for school taxes and local improvements at the said sum of \$1,000,000.00 as a fixed assessment including business assessment and the said lands, premises and property shall be for such time exempt from any further assessment except and provided that nothing herein contained shall be deemed to authorize any exemption from taxation for school purposes or local improvement rates or assessments, and that the said lands, premises and property shall for school purposes and local improvements be assessed and liable to taxation as though this by-law had not been passed.

3. The assessors or other officers making such assessment are hereby authorized and required to make their assessment as above provided and the returns and oaths of the assessor or assessors shall be amended accordingly so as to conform with the provisions of this by-law.

4. Any dwellings erected on the said lands and the land appurtenant to any such dwellings shall not be included in the fixed assessment hereunder but such dwellings and appurtenant land shall be assessed as provided by The Assessment Act then in force.

5. Should the said Canadian General Electric Company, Limited, cease to carry on its manufacturing establishment in the City of Peterborough at any time for a period of twelve consecutive months, the said fixed assessment shall cease and the said property real and personal of the Company shall be assessed for its full assessable value as provided by The Assessment Act then in force.

6. This By-law shall not be finally passed until it has received the assent of two-thirds of the electors of the City of Peterborough qualified to vote on money by-laws who vote on this by-law.

.....  
*Mayor.*

.....  
*Clerk.*







BILL

An Act respecting the City of Peterborough.

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*1st Reading*

*2nd Reading*

*3rd Reading*

MR. LANCASTER

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(*Private Bill*)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the Township of North York.

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MR. BAKER

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(PRIVATE BILL)

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 20

1935

# BILL

An Act respecting the Township of North York.

**Preamble.**

**W**HEREAS the corporation of the township of North York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

**1.** This Act may be cited as *The Township of North York Act, 1935.*

**Exemptions from taxation of new dwellings.**

**2.** The corporation of the township of North York may by by-law, which for its validity shall not require the assent of the electors qualified to vote on money by-laws, exempt wholly or partially from municipal taxation, except taxation for school purposes and local improvements, for the whole or any part of the period of five years next ensuing from and after the 1st day of January, 1935, all new dwelling-houses erected in the said township during the said period.

**Limitation of annexations.**

**3.** No part of the said township shall, for a period of five years after this Act comes into force, be annexed to any adjoining municipality, or be incorporated as a municipality separate and apart from the said township, without the assent of the municipal electors of the said township obtained on the submission of a question for that purpose in conformity with the provisions of *The Municipal Act.*

*Rev. Stat., c. 233.*

**Amalgamation of water areas.**

**4.** The said corporation may by by-law amalgamate two or more or all water areas in the said township into one water area or make the whole of the said township or any portion thereof one water area.

**Confirmation of tax sales and conveyances.**

**5.—(1)** All sales of land within the township of North York made prior to the 31st day of December, 1933, and purporting to have been made by the corporation of the township of North York or its treasurer for arrears of taxes in respect to land so sold are hereby validated and confirmed and all conveyances of land so sold executed by the reeve and treasurer



of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold and conveyed in the purchaser thereof or his heirs or assigns and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges or encumbrances thereon, and dower therein except taxes accruing after those for non-payment of which the land was sold.

*Pending litigation not affected.* (2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

*Application of Rev. Stat. c. 238, ss. 14 and 15 to township.* **6.** The said township shall be deemed to be a village for the purposes of sections 14 and 15 of *The Assessment Act*, and the said sections shall be applicable to the said township.

*Creation of public school area.* **7.—(1)** The council of the said corporation may by by-law, passed with the consent of a majority of the whole number of the members of the council before the 1st day of July in any year, set apart one or more public school sections in the said township or the whole township as a public school area or areas and declare that thereafter the public school sections included in the township or in said public school area or areas set forth in such by-law shall cease to exist and that the public school boards having jurisdiction therein shall be dissolved.

*Present boards to continue temporarily.* (2) Any such by-law shall take effect from the 25th day of December in the year in which the same is passed but all school boards in such school sections as are included in the public school area or areas shall remain in office until the school board has been elected and organized as hereinafter provided. After any such by-law has been passed the following subsections of this section shall apply.

*Formation of board for school area.* (3) There shall be a board of public school trustees for the said township or for each public school area set apart by the council and the board shall consist of five members for each public school area, except where the whole of said township is made a public school area in which case the board shall consist of seven members, three of whom shall be elected from Ward 2, two shall be elected from Ward 1 and two from Ward 3.

*Name of board.* (4) Where the whole of the said township is made a public school area, the board of public school trustees for the said



township shall be a corporation by the name of "North York Public School Board" herein referred to as the "school board," and where a part or parts only of the said township is made a public school area or areas the board of public school trustees for such area or each of such areas shall be a corporation by the name of "North York Public School Board for Area Number [inserting the number set forth in the by-law creating such area]" herein referred to as the "Area school board."

Dissolution  
of existing  
boards.

(5) Upon the election and organization of the school board or area school board, the boards of public school trustees for every school section forming part of the public school area or areas for or in the township shall be dissolved and all the property, real and personal vested in the board of any such school section shall be vested in and become the property of the school board or area school board.

Discharge of  
obligations.

(6) The school board or area school board shall be responsible for and shall discharge all liabilities and obligations of each of the said school sections forming the public school area and the indebtedness of the board of any school section shall be provided for by a general rate levied upon all property liable to taxation for public school purposes in the said public school area.

Elections by  
ballot.

(7) For the year following the year in which the by-law takes effect and in each year thereafter the members of the school board or area school board shall be elected by ballot. The nomination and election of members of the school board shall be held at the same time and place and by the same returning officer and conducted in the same manner as nearly as may be as nominations and elections for the municipal council and the provisions of *The Municipal Act* respecting the time and manner of holding the elections, the mode of receiving nominations for office, the resignation of persons nominated, or elected, vacancies, recounts and declarations of qualification of office shall, *mutatis mutandis*, apply to the elections.

Rev. Stat.  
c.1233.,

Form of  
ballot.

(8) The clerk of the municipality shall prepare one set of ballot papers for each of the polling subdivisions in the public school area containing the names of candidates for members of the school board or area school board in the same form, *mutatis mutandis*, as those used for councillors and no ballot shall be delivered to any person who is entered on the voters' list as a separate school supporter, or by reason of being the wife or husband of a separate school supporter, provided that where the whole township is made a public school area the clerk shall prepare one set of ballot papers for each of the polling subdivisions in each of the wards named in subsection 3.



**Qualifica-  
tions of  
members of  
the board.**

(9) Every ratepayer who resides in the public school area or the township, as the case may be, and who is a British subject, and who is of the full age of twenty-one years, and is not a separate school supporter or entered on the voters' list by reason of being the wife or husband of a person assessed as a separate school supporter and who is not disqualified by *The Public Schools Act* or any other Act may be elected a member of the school board or area school board of the public school area in which he resides. The provisions of subsections 4, 4a, 4b and 4c of section 15 of *The Public School Act* shall apply *mutatis mutandis* to the election and terms of office of the members of the school board or area school board.

**Qualifica-  
tions of  
voters.**

(10) Every person whose name appears upon the last revised voters' list as entitled to vote at municipal elections and in the public school area or township, as the case may be shall be entitled to vote at an election of members of the school board or area school board, excepting persons who are assessed as separate school supporters and persons who are entered on such voters' list by reason of being the wife or husband of a person assessed as a separate school supporter.

**First  
meeting.**

(11) The school board or area school board shall hold its first meeting in each year on the second Wednesday in January at the hour of eight o'clock in the afternoon or at such other hour on the same day and at such place as may have been fixed by resolution of the board of the preceding year, or, if no place has been so fixed, at the usual place of meeting of the municipal council.

**Application  
of Rev. Stat.,  
c. 323.**

(12) The school board and every area school board and the members thereof shall have, *mutatis mutandis*, the same powers and duties as are prescribed by *The Public Schools Act* for boards of trustees in urban municipalities and all the provisions of *The Public Schools Act* relating to urban school boards shall apply to the school board or area school board and to the schools under its jurisdiction, except where inconsistent herewith; provided that the provisions of clause d of section 88 of the said Act relating to rural schools shall continue to apply to the schools in the said township.

**Rev. Stat.,  
c. 323, s. 109,  
not to apply.**

(13) The provisions of section 109 of *The Public Schools Act* shall not apply to that part of the township which forms a public school area or to the said township if the whole of it forms one public school area.

**Additions to  
school area.**

(14) Where only a part of the said township is set apart as a public school area the council may by by-law passed with the consent of the majority of the whole number of the members hereof before the 1st day of July in any year, add any further part of the township to the public school area and thereafter the provisions of this section shall apply.



**Legislative grants.** **8.**—(1) Legislative grants for the support of public schools shall until the 31st day of December, 1940, be paid on the basis of the equalized assessment, less income assessment, of the said township for the year 1930.

**Rural grants.** (2) Subsection 1 shall apply until the 31st day of December, 1940, notwithstanding that a public school area has been set apart under section 7. The said legislative grants shall be paid as if the whole township had continued to be divided into rural school sections.

**Adjustment of rights and claims.** **9.**—(1) All rights and claims between the respective parts of the said township comprising the several school sections united into a public school area or the several areas amalgamated or brought into one water area under the authority of this Act shall be valued, adjusted and determined in an equitable manner by a referee to be appointed by the Ontario Municipal Board within three months after the passing of a by-law uniting such school area or amalgamating such water areas.

**Jurisdiction of Municipal Board and Referee.** **1932, c. 27.** (2) The Ontario Municipal Board and any referee appointed by it shall have and may exercise such jurisdiction and powers as may be necessary for the purpose of having all or any of the said rights and claims valued, adjusted and determined, and the provisions of *The Ontario Municipal Board Act, 1932*, shall be applicable.

**Referee and his report.** (3) A referee appointed under this section shall proceed to hear and report to the said board upon such rights and claims as may have been referred to him subject to such orders and directions as the said board may from time to time make or issue, and he shall submit his report to the said board within three months after the time of his appointment or within such further time as the said board may allow, and a referee for his services shall be paid such fee as the said board may direct and allow.

**Consideration of report by Municipal Board.** (4) Upon the report of a referee being filed with the said board it shall forthwith take the same into its consideration and may hear such representations in respect thereto as it may see fit, and before adopting any such report the said board may remit the same to the referee for his further consideration.

**Adoption of report by Municipal Board.** (5) The said board may by its order adopt, vary or amend the report of any referee appointed under this section, and the order of the said board adopting such report or varying or amending the same shall be final and conclusive and not open to question or appeal and the terms thereof shall be binding upon the said corporation and the ratepayers thereof or of any school section or water area affected thereby.



**Imposition  
of special  
rates.**

(6) The council of the said corporation shall impose and levy annually such special rates against the lands assessable therefor as may be directed in any order of the said board for the purpose of adjusting the rights and claims of any school section or other area.

**Where water  
area by-laws  
to take  
effect.**

(7) No by-law passed under the authority of section 4 shall come into force or take effect until such time as the said board may by its order direct, and no such order shall be issued until the said board has made an order under subsection 5 hereof.

**Formation  
of a Board of  
Education.**

**10.**—(1) The council of the said corporation may by by-law passed with the consent of the majority of the whole number of the members of the council before the 1st day of July in any year unite the collegiate institute board of the said township and the school board or area school board of a public school area or areas formed under this Act or with the public school boards of any four or more of the school sections of the township into one board and it shall be a corporation by the name of "The Board of Education for the Township of North York," herein referred to as the "board of education" and shall have and possess all the powers and perform all the duties which by this or any other Act are conferred or imposed upon a public school board in an urban municipality or on a high school board or on a board of education.

**Composition  
of a Board of  
Education.**

(2) The board of education shall consist of nine members to be elected or appointed as hereinafter provided:

(a) Where the school board or area school board of a public school area or areas is united with the collegiate institute board, six members shall be elected from the area over which the board of education has jurisdiction under the by-law uniting the said boards; or,

(b) Where the public school boards of four or more school sections are united with the collegiate institute board six members shall be elected from the area over which the board of education has jurisdiction under the by-law uniting the said boards; and

(c) Three of the members shall be appointed by the council of the county of York in accordance with the provisions of *The High Schools Act*.

**Rev. Stat.,  
c. 326.**

**Separate  
school repre-  
sentative.**

(3) Where, however, a separate school board is established for the whole of the said township the board of education shall in each year thereafter consist of ten members, six of whom shall be elected as aforesaid, three of whom shall be



appointed by the council of the said county as aforesaid and the remaining member shall be appointed annually by such separate school board at its first meeting or so soon as may be thereafter.

Vesting of properties in the board.

(4) Upon organization of the board of education the members of the said collegiate institute board and of the said public school board or boards then remaining in office shall cease to hold office, and all the property real and personal theretofore vested in the collegiate institute board of the said township and in the said public school board or boards shall become vested in and become the property of the board of education, and the board of education shall be responsible for and shall discharge all the debts, liabilities and obligations for which the said boards were liable.

Election by ballot.

(5) The elective members of the board of education shall be elected by ballot. The nomination and election of members of the board of education shall be held at the same time and place and by the same returning officer and conducted in the same manner as nearly as may be as nominations and elections for the municipal council, and the provisions of *The Municipal Act* respecting the manner of holding the elections and of receiving nominations for office, the resignation of persons nominated or elected, recounts, and declarations of qualification for office shall, *mutatis mutandis*, apply to the elections.

Rev. Stat., c. 233.

Form of ballot.

(6) The clerk of the municipality shall prepare one set of ballot papers for each of the polling subdivisions in the township forming the area under the jurisdiction of the board of education containing the names of candidates for members of the board of education in the same form, *mutatis mutandis*, as those used for councillors and no ballot shall be delivered to any person who is entered on the voters' list as a separate school supporter, or by reason of being the wife or husband of a separate school supporter.

Qualification of members.

(7) Every ratepayer who resides in the township and in the area under the jurisdiction of the board of education and is a British subject, and of the full age of twenty-one years, and is not a separate school supporter or entered on the voters' list by reason of being the wife or husband of a person assessed as a separate school supporter and who is not disqualified by *The Public Schools Act* or any other Act may be elected a member of the board of education. The provisions of subsections 6 to 13 of section 3 of *The Boards of Education Act* shall apply, *mutatis mutandis*, to the election and terms of office of the members of the board of education.

Qualification of voters.

(8) Every person whose name appears upon the last revised voters' list as entitled to vote at municipal elections



and in the area under the jurisdiction of the board of education shall be entitled to vote at an election of members of the board of education, excepting persons who are assessed as separate school supporters and persons who are entered on such voters' list by reason of being the wife or husband of a person assessed as a separate school supporter.

*First meeting.*

(9) The first meeting of the board of education after its organization shall be held on the second Wednesday in January at the hour of eight o'clock in the evening at the council chambers, township of North York.

*Future meetings.*

(10) Unless a date and place for the first meeting has been decided upon by the former board in any year, the board of education shall hold its first meeting in each year on the second Wednesday in January at the hour of eight o'clock in the evening at the usual place of meeting of the former board.

*Application of Rev. Stat., c. 327.*

(11) All the provisions of *The Boards of Education Act*, other than sections 13, 14, 15 and 16, which are not inconsistent with this section shall be read as part of this section and so far as such provisions are inconsistent with the provisions of this section they shall not apply to the board of education.

*Application of general school laws.*

*Rev. Stat., cc. 323, 326, 332, 1930, c. 64.*

(12) The provisions of *The Public Schools Act*, *The High Schools Act* and *The Vocational Education Act, 1930*, which are not inconsistent with *The Boards of Education Act* and with this Act shall be read as part of this section, and the provisions of the said Acts and of *The School Attendance Act* shall apply to the said township and to the board of education as if the said township were an urban municipality not separated from the county.

*Legislative grants.*

(13) Nothing in this section shall affect or alter the basis of legislative grants for the support of public schools as provided in section 8 and the said grants shall continue to be paid as therein provided.

*Grants not to be reduced.*

(14) No legislative or county grants or other amounts payable in respect of high schools, night schools, continuation schools, and vocational schools in the township of North York shall be reduced by reason of any of the provisions of this section.

*Existing offices continued.*

(15) The trustees of the said collegiate institute board and of the said public school boards shall remain in office until the board of education has been organized.

*Commencement of Act.*

**11.** This Act shall come into force on the day upon which it receives the Royal Assent.







BILL

An Act respecting the Township of  
North York

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*1st Reading*

*2nd Reading*

*3rd Reading*

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MR. BAKER

(*Private Bill*)

NO. 20

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the Township of North York.

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MR. BAKER

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(PRIVATE BILL)

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TORONTO  
PRINTED BY T. E. BOWMAN  
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No. 20

1935

# BILL

## An Act respecting the Township of North York.

**Preamble.**

**W**HEREAS the corporation of the township of North York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

**1.** This Act may be cited as *The Township of North York Act, 1935.*

**Exemptions from taxation of new dwellings.**

**2.** The corporation of the township of North York may by by-law, which for its validity shall not require the assent of the electors qualified to vote on money by-laws, exempt wholly or partially from municipal taxation, except taxation for school purposes and local improvements, for the whole or any part of the period of five years next ensuing from and after the 1st day of January, 1935, all new dwelling-houses erected in the said township during the said period.

**Limitation of annexations.**

**3.** No part of the said township shall, for a period of five years after this Act comes into force, be annexed to any adjoining municipality, or be incorporated as a municipality separate and apart from the said township, without the assent of the municipal electors of the said township obtained on the submission of a question for that purpose in conformity with the provisions of *The Municipal Act.*

**Rev. Stat., o. 233.**

**Amalgamation of water areas.**

**4.** The said corporation may by by-law amalgamate two or more or all water areas in the said township into one water area or make the whole of the said township or any portion thereof one water area.

**Confirmation of tax sales and conveyances.**

**5.—(1)** All sales of land within the township of North York made prior to the 31st day of December, 1933, and purporting to have been made by the corporation of the township of North York or its treasurer for arrears of taxes in respect to land so sold are hereby validated and confirmed and all conveyances of land so sold executed by the reeve and treasurer



of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold and conveyed in the purchaser thereof or his heirs or assigns and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges or encumbrances thereon, and dower therein except taxes accruing after those for non-payment of which the land was sold.

*Pending litigation not affected.* (2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

*Application of Rev. Stat., c. 238, ss. 14 and 15 to township.* **6.** The said township shall be deemed to be a village for the purposes of sections 14 and 15 of *The Assessment Act*, and the said sections shall be applicable to the said township.

*Creation of public school area.* **7.—(1)** The council of the said corporation may by by-law, passed with the consent of a majority of the whole number of the members of the council before the 1st day of July in any year, set apart one or more public school sections in the said township or the whole township as a public school area or areas and declare that thereafter the public school sections included in the township or in said public school area or areas set forth in such by-law shall cease to exist and that the public school boards having jurisdiction therein shall be dissolved.

*Present boards to continue temporarily.* (2) Any such by-law shall take effect from the 25th day of December in the year in which the same is passed but all school boards in such school sections as are included in the public school area or areas shall remain in office until the school board has been elected and organized as hereinafter provided. After any such by-law has been passed the following subsections of this section shall apply.

*Formation of board for school area.* (3) There shall be a board of public school trustees for the said township or for each public school area set apart by the council and the board shall consist of five members for each public school area, except where the whole of said township is made a public school area in which case the board shall consist of seven members, three of whom shall be elected from Ward 2, two shall be elected from Ward 1 and two from Ward 3.

*Name of board.* (4) Where the whole of the said township is made a public school area, the board of public school trustees for the said



township shall be a corporation by the name of "North York Public School Board" herein referred to as the "school board," and where a part or parts only of the said township is made a public school area or areas the board of public school trustees for such area or each of such areas shall be a corporation by the name of "North York Public School Board for Area Number [inserting the number set forth in the by-law creating such area]" herein referred to as the "Area school board."

Dissolution  
of existing  
boards.

(5) Upon the election and organization of the school board or area school board, the boards of public school trustees for every school section forming part of the public school area or areas for or in the township shall be dissolved and all the property, real and personal vested in the board of any such school section shall be vested in and become the property of the school board or area school board.

Discharge of  
obligations.

(6) The school board or area school board shall be responsible for and shall discharge all liabilities and obligations of each of the said school sections forming the public school area and the indebtedness of the board of any school section shall be provided for by a general rate levied upon all property liable to taxation for public school purposes in the said public school area.

Elections by  
ballot.

(7) For the year following the year in which the by-law takes effect and in each year thereafter the members of the school board or area school board shall be elected by ballot. The nomination and election of members of the school board shall be held at the same time and place and by the same returning officer and conducted in the same manner as nearly as may be as nominations and elections for the municipal council and the provisions of *The Municipal Act* respecting the time and manner of holding the elections, the mode of receiving nominations for office, the resignation of persons nominated, or elected, vacancies, recounts and declarations of qualification of office shall, *mutatis mutandis*, apply to the elections.

Rev. Stat.  
c. 233..

Form of  
ballot.

(8) The clerk of the municipality shall prepare one set of ballot papers for each of the polling subdivisions in the public school area containing the names of candidates for members of the school board or area school board in the same form, *mutatis mutandis*, as those used for councillors and no ballot shall be delivered to any person who is entered on the voters' list as a separate school supporter, or by reason of being the wife or husband of a separate school supporter, provided that where the whole township is made a public school area the clerk shall prepare one set of ballot papers for each of the polling subdivisions in each of the wards named in subsection 3.



**Qualifications of members of the board.**

(9) Every ratepayer who resides in the public school area or the township, as the case may be, and who is a British subject, and who is of the full age of twenty-one years, and is not a separate school supporter or entered on the voters' list by reason of being the wife or husband of a person assessed as a separate school supporter and who is not disqualified by *The Public Schools Act* or any other Act may be elected a member of the school board or area school board of the public school area in which he resides. The provisions of subsections 4, 4a, 4b and 4c of section 15 of *The Public School Act* shall apply *mutatis mutandis* to the election and terms of office of the members of the school board or area school board.

**Qualifications of voters.**

(10) Every person whose name appears upon the last revised voters' list as entitled to vote at municipal elections and in the public school area or township, as the case may be shall be entitled to vote at an election of members of the school board or area school board, excepting persons who are assessed as separate school supporters and persons who are entered on such voters' list by reason of being the wife or husband of a person assessed as a separate school supporter.

**First meeting.**

(11) The school board or area school board shall hold its first meeting in each year on the second Wednesday in January at the hour of eight o'clock in the afternoon or at such other hour on the same day and at such place as may have been fixed by resolution of the board of the preceding year, or, if no place has been so fixed, at the usual place of meeting of the municipal council.

**Application of Rev. Stat., c. 323.**

(12) The school board and every area school board and the members thereof shall have, *mutatis mutandis*, the same powers and duties as are prescribed by *The Public Schools Act* for boards of trustees in urban municipalities and all the provisions of *The Public Schools Act* relating to urban school boards shall apply to the school board or area school board and to the schools under its jurisdiction, except where inconsistent herewith; provided that the provisions of clause d of section 88 of the said Act relating to rural schools shall continue to apply to the schools in the said township.

**Rev. Stat., c. 323, s. 109, not to apply.**

(13) The provisions of section 109 of *The Public Schools Act* shall not apply to that part of the township which forms a public school area or to the said township if the whole of it forms one public school area.

**Additions to school area.**

(14) Where only a part of the said township is set apart as a public school area the council may by by-law passed with the consent of the majority of the whole number of the members hereof before the 1st day of July in any year, add any further part of the township to the public school area and thereafter the provisions of this section shall apply.



**Legislative grants.** **8.**—(1) Legislative grants for the support of public schools shall until the 31st day of December, 1940, be paid on the basis of the equalized assessment, less income assessment, of the said township for the year 1930.

**Rural grants.** (2) Subsection 1 shall apply until the 31st day of December, 1940, notwithstanding that a public school area has been set apart under section 7. The said legislative grants shall be paid as if the whole township had continued to be divided into rural school sections.

**Adjustment of rights and claims.** **9.**—(1) All rights and claims between the respective parts of the said township comprising the several school sections united into a public school area or the several areas amalgamated or brought into one water area under the authority of this Act shall be valued, adjusted and determined in an equitable manner by a referee to be appointed by the Ontario Municipal Board within three months after the passing of a by-law uniting such school area or amalgamating such water areas.

**Jurisdiction of Municipal Board and Referee.** **1932, c. 27.** (2) The Ontario Municipal Board and any referee appointed by it shall have and may exercise such jurisdiction and powers as may be necessary for the purpose of having all or any of the said rights and claims valued, adjusted and determined, and the provisions of *The Ontario Municipal Board Act, 1932*, shall be applicable.

**Referee and his report.** (3) A referee appointed under this section shall proceed to hear and report to the said board upon such rights and claims as may have been referred to him subject to such orders and directions as the said board may from time to time make or issue, and he shall submit his report to the said board within three months after the time of his appointment or within such further time as the said board may allow, and a referee for his services shall be paid such fee as the said board may direct and allow.

**Consideration of report by Municipal Board.** (4) Upon the report of a referee being filed with the said board it shall forthwith take the same into its consideration and may hear such representations in respect thereto as it may see fit, and before adopting any such report the said board may remit the same to the referee for his further consideration.

**Adoption of report by Municipal Board.** (5) The said board may by its order adopt, vary or amend the report of any referee appointed under this section, and the order of the said board adopting such report or varying or amending the same shall be final and conclusive and not open to question or appeal and the terms thereof shall be binding upon the said corporation and the ratepayers thereof or of any school section or water area affected thereby.



Imposition  
of special  
rates.

(6) The council of the said corporation shall impose and levy annually such special rates against the lands assessable therefor as may be directed in any order of the said board for the purpose of adjusting the rights and claims of any school section or other area.

Where water  
area by-laws  
to take  
effect.

(7) No by-law passed under the authority of section 4 shall come into force or take effect until such time as the said board may by its order direct, and no such order shall be issued until the said board has made an order under subsection 5 hereof.



Approval by  
Minister of  
Education.

(8) No by-law passed under the authority of section 7 or 10 shall come into force or take effect until the Minister of Education for Ontario has first approved the same, and no order shall be made by the said board under subsection 5 until the said approval of the Minister of Education has been obtained.



Formation  
of a Board of  
Education.

**10.**—(1) The council of the said corporation may by by-law passed with the consent of the majority of the whole number of the members of the council before the 1st day of July in any year unite the collegiate institute board of the said township and the school board or area school board of a public school area or areas formed under this Act or with the public school boards of any four or more of the school sections of the township into one board and it shall be a corporation by the name of "The Board of Education for the Township of North York," herein referred to as the "board of education" and shall have and possess all the powers and perform all the duties which by this or any other Act are conferred or imposed upon a public school board in an urban municipality or on a high school board or on a board of education.

Composition  
of a Board of  
Education.

(2) The board of education shall consist of ten members to be elected or appointed as hereinafter provided:

- (a) Where the school board or area school board of a public school area or areas is united with the collegiate institute board, six members shall be elected from the area over which the board of education has jurisdiction under the by-law uniting the said boards; or,
- (b) Where the public school boards of four or more school sections are united with the collegiate institute board six members shall be elected from the area over which the board of education has jurisdiction under the by-law uniting the said boards; and



(c) Three of the members shall be appointed by the council of the county of York in accordance with the provisions of *The High Schools Act*.



(d) One member shall be appointed annually by the separate school boards or board as hereinafter provided, such member to be appointed at the first meeting in each year of such boards or board or so soon thereafter as may be.

Separate  
school repre-  
sentative.

(3) Until a separate school board is established for the whole of the said township the member of the board of education to be appointed by the separate school boards shall be appointed by the several separate school boards of the said township now or hereafter existing at a joint meeting of such boards to be held on the same day as is appointed for the first meeting in each year of the said boards, and after a separate school board is established for the whole of the said township the said member shall be appointed by it as provided in subsection 2.



Vesting of  
properties  
in the  
board.

(4) Upon organization of the board of education the members of the said collegiate institute board and of the said public school board or boards then remaining in office shall cease to hold office, and all the property real and personal theretofore vested in the collegiate institute board of the said township and in the said public school board or boards shall become vested in and become the property of the board of education, and the board of education shall be responsible for and shall discharge all the debts, liabilities and obligations for which the said boards were liable.

Election by  
ballot.

Rev. Stat.,  
c. 233.

(5) The elective members of the board of education shall be elected by ballot. The nomination and election of members of the board of education shall be held at the same time and place and by the same returning officer and conducted in the same manner as nearly as may be as nominations and elections for the municipal council, and the provisions of *The Municipal Act* respecting the manner of holding the elections and of receiving nominations for office, the resignation of persons nominated or elected, recounts, and declarations of qualification for office shall, *mutatis mutandis*, apply to the elections.

Form of  
ballot.

(6) The clerk of the municipality shall prepare one set of ballot papers for each of the polling subdivisions in the township forming the area under the jurisdiction of the board of education containing the names of candidates for members of the board of education in the same form, *mutatis mutandis*,



as those used for councillors and no ballot shall be delivered to any person who is entered on the voters' list as a separate school supporter, or by reason of being the wife or husband of a separate school supporter.

**Qualification of members.** (7) Every ratepayer who resides in the township and in the area under the jurisdiction of the board of education and is a British subject, and of the full age of twenty-one years, and is not a separate school supporter or entered on the voters' list by reason of being the wife or husband of a person assessed as a separate school supporter and who is not disqualified by *The Public Schools Act* or any other Act may be elected a member of the board of education. The provisions of subsections 6 to 13 of section 3 of *The Boards of Education Act* shall apply, *mutatis mutandis*, to the election and terms of office of the members of the board of education.

**Qualification of voters.** (8) Every person whose name appears upon the last revised voters' list as entitled to vote at municipal elections and in the area under the jurisdiction of the board of education shall be entitled to vote at an election of members of the board of education, excepting persons who are assessed as separate school supporters and persons who are entered on such voters' list by reason of being the wife or husband of a person assessed as a separate school supporter.

**First meeting.** (9) The first meeting of the board of education after its organization shall be held on the second Wednesday in January at the hour of eight o'clock in the evening at the council chambers, township of North York.

**Future meetings.** (10) Unless a date and place for the first meeting has been decided upon by the former board in any year, the board of education shall hold its first meeting in each year on the second Wednesday in January at the hour of eight o'clock in the evening at the usual place of meeting of the former board.

**Application of Rev. Stat., c. 327.** (11) All the provisions of *The Boards of Education Act*, other than sections 13, 14, 15 and 16, which are not inconsistent with this section shall be read as part of this section and so far as such provisions are inconsistent with the provisions of this section they shall not apply to the board of education.

**Application of general school laws.** (12) The provisions of *The Public Schools Act*, *The High Schools Act* and *The Vocational Education Act, 1930*, which are not inconsistent with *The Boards of Education Act* and with this Act shall be read as part of this section, and the provisions of the said Acts and of *The School Attendance Act* shall apply to the said township and to the board of education

**Rev. Stat. cc. 323, 326, 332, 1930, c. 64.**



as if the said township were an urban municipality not separated from the county.

Legislative grants.

(13) Nothing in this section shall affect or alter the basis of legislative grants for the support of public schools as provided in section 8 and the said grants shall continue to be paid as therein provided.

Grants not to be reduced.

(14) No legislative or county grants or other amounts payable in respect of high schools, night schools, continuation schools, and vocational schools in the township of North York shall be reduced by reason of any of the provisions of this section.

Existing offices continued.

(15) The trustees of the said collegiate institute board and of the said public school boards shall remain in office until the board of education has been organized.

Commencement of Act.

**11.** This Act shall come into force on the day upon which it receives the Royal Assent.



BILL

An Act respecting the Township of  
North York

*1st Reading*

March 19th, 1935

*2nd Reading*

*3rd Reading*

MR. BAKER

(Reprinted as amended by the Private Bills  
Committee)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the Township of North York.

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MR. BAKER

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No. 20

1935

# BILL

## An Act respecting the Township of North York.

**Preamble.**

**W**HEREAS the corporation of the township of North York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

**1.** This Act may be cited as *The Township of North York Act, 1935.*

**Exemption from taxation of new dwellings.**

**2.** The corporation of the township of North York may by by-law, which for its validity shall not require the assent of the electors qualified to vote on money by-laws, exempt wholly or partially from municipal taxation, except taxation for school purposes and local improvements, for the whole or any part of the period of five years next ensuing from and after the 1st day of January, 1935, all new dwelling-houses erected in the said township during the said period.

**Limitation of annexations.**

**3.** No part of the said township shall, for a period of five years after this Act comes into force, be annexed to any adjoining municipality, or be incorporated as a municipality separate and apart from the said township, without the assent of the municipal electors of the said township obtained on the submission of a question for that purpose in conformity with the provisions of *The Municipal Act.*

**Rev. Stat., c. 233.**

**Amalgamation of water areas.**

**4.** The said corporation may by by-law amalgamate two or more or all water areas in the said township into one water area or make the whole of the said township or any portion thereof one water area.

**Confirmation of tax sales and conveyances.**

**5.—(1)** All sales of land within the township of North York made prior to the 31st day of December, 1933, and purporting to have been made by the corporation of the township of North York, or its treasurer, for arrears of taxes in respect to land so sold are hereby validated and confirmed and all conveyances of land so sold executed by the reeve and treasurer

of the said corporation purporting to convey the said land so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold and conveyed in the purchaser thereof or his heirs or assigns and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges or encumbrances thereon, and dower therein except taxes accruing after those for non-payment of which the land was sold.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

**6.** The said township shall be deemed to be a village for the purposes of sections 14 and 15 of *The Assessment Act*, and the said sections shall be applicable to the said township.

Application of  
Rev. Stat.,  
c. 238, ss. 14  
and 15  
to township.

**7.—(1)** The council of the said corporation may by by-law, passed with the consent of a majority of the whole number of the members of the council before the 1st day of July in any year, set apart one or more public school sections in the said township or the whole township as a public school area or areas and declare that thereafter the public school sections included in the township or in said public school area or areas set forth in such by-law shall cease to exist and that the public school boards having jurisdiction therein shall be dissolved.

(2) Any such by-law shall take effect from the 25th day of December in the year in which the same is passed but all school boards in such school sections as are included in the public school area or areas shall remain in office until the school board has been elected and organized as hereinafter provided. After any such by-law has been passed the following subsections of this section shall apply.

(3) There shall be a board of public school trustees for the said township or for each public school area set apart by the council and the board shall consist of five members for each public school area, except where the whole of said township is made a public school area in which case the board shall consist of seven members, three of whom shall be elected from Ward 2, two shall be elected from Ward 1 and two from Ward 3.

(4) Where the whole of the said township is made a public school area, the board of public school trustees for the said

Name of  
board.

township shall be a corporation by the name of "North York Public School Board" herein referred to as the "school board," and where a part or parts only of the said township is made a public school area or areas the board of public school trustees for such area or each of such areas shall be a corporation by the name of "North York Public School Board for Area Number [*inserting the number set forth in the by-law creating such area*]" herein referred to as the "Area school board."

**Dissolution  
of existing  
boards.**

(5) Upon the election and organization of the school board or area school board, the boards of public school trustees for every school section forming part of the public school area or areas for or in the township shall be dissolved and all the property, real and personal vested in the board of any such school section shall be vested in and become the property of the school board or area school board.

**Discharge of  
obligations.**

(6) The school board or area school board shall be responsible for and shall discharge all liabilities and obligations of each of the said school sections forming the public school area and the indebtedness of the board of any school section shall be provided for by a general rate levied upon all property liable to taxation for public school purposes in the said public school area.

**Elections by  
ballot.**

(7) For the year following the year in which the by-law takes effect and in each year thereafter the members of the school board or area school board shall be elected by ballot. The nomination and election of members of the school board shall be held at the same time and place and by the same returning officer and conducted in the same manner as nearly as may be as nominations and elections for the municipal council and the provisions of *The Municipal Act* respecting the time and manner of holding the elections, the mode of receiving nominations for office, the resignation of persons nominated or elected, vacancies, recounts and declarations of qualification of office shall, *mutatis mutandis*, apply to the elections.

**Rev. Stat.  
c. 233.,**

**Form of  
ballot.**

(8) The clerk of the municipality shall prepare one set of ballot papers for each of the polling subdivisions in the public school area containing the names of candidates for members of the school board or area school board in the same form, *mutatis mutandis*, as those used for councillors and no ballot shall be delivered to any person who is entered on the voters' list as a separate school supporter, or by reason of being the wife or husband of a separate school supporter, provided that where the whole township is made a public school area the clerk shall prepare one set of ballot papers for each of the polling subdivisions in each of the wards named in subsection 3.

(9) Every ratepayer who resides in the public school area or the township, as the case may be, and who is a British subject, and who is of the full age of twenty-one years, and is not a separate school supporter or entered on the voters' list by reason of being the wife or husband of a person assessed as a separate school supporter and who is not disqualified by *The Public Schools Act* or any other Act may be elected a member of the school board or area school board of the public school area in which he resides. The provisions of subsections 4, 4a, 4b and 4c of section 15 of *The Public School Act* shall apply *mutatis mutandis* to the election and terms of office of the members of the school board or area school board.

(10) Every person whose name appears upon the last revised voters' list as entitled to vote at municipal elections and in the public school area or township, as the case may be shall be entitled to vote at an election of members of the school board or area school board, excepting persons who are assessed as separate school supporters and persons who are entered on such voters' list by reason of being the wife or husband of a person assessed as a separate school supporter.

(11) The school board or area school board shall hold its first meeting in each year on the second Wednesday in January at the hour of eight o'clock in the afternoon or at such other hour on the same day and at such place as may have been fixed by resolution of the board of the preceding year, or, if no place has been so fixed, at the usual place of meeting of the municipal council.

(12) The school board and every area school board and the members thereof shall have, *mutatis mutandis*, the same powers and duties as are prescribed by *The Public Schools Act* for boards of trustees in urban municipalities and all the provisions of *The Public Schools Act* relating to urban school boards shall apply to the school board or area school board and to the schools under its jurisdiction, except where inconsistent herewith; provided that the provisions of clause d of section 88 of the said Act relating to rural schools shall continue to apply to the schools in the said township.

(13) The provisions of section 109 of *The Public Schools Act* shall not apply to that part of the township which forms a public school area or to the said township if the whole of it forms one public school area.

(14) Where only a part of the said township is set apart as a public school area the council may by by-law passed with the consent of the majority of the whole number of the members hereof before the 1st day of July in any year, add any further part of the township to the public school area and thereafter the provisions of this section shall apply.

Legislative grants.

**8.**—(1) Legislative grants for the support of public schools shall until the 31st day of December, 1940, be paid on the basis of the equalized assessment, less income assessment, of the said township for the year 1930.

Rural grants.

(2) Subsection 1 shall apply until the 31st day of December, 1940, notwithstanding that a public school area has been set apart under section 7. The said legislative grants shall be paid as if the whole township had continued to be divided into rural school sections.

Adjustment of rights and claims.

**9.**—(1) All rights and claims between the respective parts of the said township comprising the several school sections united into a public school area or the several areas amalgamated or brought into one water area under the authority of this Act shall be valued, adjusted and determined in an equitable manner by a referee to be appointed by the Ontario Municipal Board within three months after the passing of a by-law uniting such school area or amalgamating such water areas.

Jurisdiction of Municipal Board and Referee.

1932, c. 27.

(2) The Ontario Municipal Board and any referee appointed by it shall have and may exercise such jurisdiction and powers as may be necessary for the purpose of having all or any of the said rights and claims valued, adjusted and determined, and the provisions of *The Ontario Municipal Board Act, 1932*, shall be applicable.

Referee—report of.

(3) A referee appointed under this section shall proceed to hear and report to the said board upon such rights and claims as may have been referred to him subject to such orders and directions as the said board may from time to time make or issue, and he shall submit his report to the said board within three months after the time of his appointment or within such further time as the said board may allow, and a referee for his services shall be paid such fee as the said board may direct and allow.

Consideration of report by Municipal Board.

(4) Upon the report of a referee being filed with the said board it shall forthwith take the same into its consideration and may hear such representations in respect thereto as it may see fit, and before adopting any such report the said board may remit the same to the referee for his further consideration.

Adoption of report by Municipal Board.

(5) The said board may by its order adopt, vary or amend the report of any referee appointed under this section, and the order of the said board adopting such report or varying or amending the same shall be final and conclusive and not open to question or appeal, and the terms thereof shall be binding upon the said corporation and the ratepayers thereof, or of any school section or water area affected thereby.

(6) The council of the said corporation shall impose and levy annually such special rates against the lands assessable therefor as may be directed in any order of the said board for the purpose of adjusting the rights and claims of any school section or other area.

(7) No by-law passed under the authority of section 4 shall come into force or take effect until such time as the said board may by its order direct, and no such order shall be issued until the said board has made an order under subsection 5 hereof.

(8) No by-law passed under the authority of section 7 or 10 shall come into force or take effect until the Minister of Education for Ontario has first approved the same, and no order shall be made by the said board under subsection 5 until the said approval of the Minister of Education has been obtained.

**10.**—(1) The council of the said corporation may by law passed with the consent of the majority of the whole number of the members of the council before the 1st day of July in any year unite the collegiate institute board of the said township and the school board or area school board of a public school area or areas formed under this Act or with the public school boards of any four or more of the school sections of the township into one board and it shall be a corporation by the name of "The Board of Education for the Township of North York," herein referred to as the "board of education" and shall have and possess all the powers and perform all the duties which by this or any other Act are conferred or imposed upon a public school board in an urban municipality or on a high school board or on a board of education.

(2) The board of education shall consist of ten members to be elected or appointed as hereinafter provided:

- (a) Where the school board or area school board of a public school area or areas is united with the collegiate institute board, six members shall be elected from the area over which the board of education has jurisdiction under the by-law uniting the said boards; or,
- (b) Where the public school boards of four or more school sections are united with the collegiate institute board six members shall be elected from the area over which the board of education has jurisdiction under the by-law uniting the said boards; and

Rev. Stat.,  
c. 326.

(c) Three of the members shall be appointed by the council of the county of York in accordance with the provisions of *The High Schools Act*.

(d) One member shall be appointed annually by the separate school boards or board as hereinafter provided, such member to be appointed at the first meeting in each year of such boards or board or so soon thereafter as may be.

Separate school representative. (3) Until a separate school board is established for the whole of the said township the member of the board of education to be appointed by the separate school boards shall be appointed by the several separate school boards of the said township now or hereafter existing at a joint meeting of such boards to be held on the same day as is appointed for the first meeting in each year of the said boards, and after a separate school board is established for the whole of the said township the said member shall be appointed by it as provided in subsection 2.

Vesting of properties in the board.

(4) Upon organization of the board of education the members of the said collegiate institute board and of the said public school board or boards then remaining in office shall cease to hold office, and all the property real and personal theretofore vested in the collegiate institute board of the said township and in the said public school board or boards shall become vested in and become the property of the board of education, and the board of education shall be responsible for and shall discharge all the debts, liabilities and obligations for which the said boards were liable.

Election by ballot.

(5) The elective members of the board of education shall be elected by ballot. The nomination and election of members of the board of education shall be held at the same time and place and by the same returning officer and conducted in the same manner as nearly as may be as nominations and elections for the municipal council, and the provisions of *The Municipal Act* respecting the manner of holding the elections and of receiving nominations for office, the resignation of persons nominated or elected, recounts, and declarations of qualification for office shall, *mutatis mutandis*, apply to the elections.

Rev. Stat.,  
c. 233.

Form of ballot.

(6) The clerk of the municipality shall prepare one set of ballot papers for each of the polling subdivisions in the township forming the area under the jurisdiction of the board of education containing the names of candidates for members of the board of education in the same form, *mutatis mutandis*,

as those used for councillors and no ballot shall be delivered to any person who is entered on the voters' list as a separate school supporter, or by reason of being the wife or husband of a separate school supporter.

(7) Every ratepayer who resides in the township and in the area under the jurisdiction of the board of education and is a British subject, and of the full age of twenty-one years, and is not a separate school supporter or entered on the voters' list by reason of being the wife or husband of a person assessed as a separate school supporter and who is not disqualified by *The Public Schools Act* or any other Act may be elected a member of the board of education. The provisions of subsections 6 to 13 of section 3 of *The Boards of Education Act* shall apply, *mutatis mutandis*, to the election and terms of office of the members of the board of education.

(8) Every person whose name appears upon the revised voters' list as entitled to vote at municipal elections and in the area under the jurisdiction of the board of education shall be entitled to vote at an election of members of the board of education, excepting persons who are assessed as separate school supporters and persons who are entered on such voters' list by reason of being the wife or husband of a person assessed as a separate school supporter.

(9) The first meeting of the board of education after its organization shall be held on the second Wednesday in January at the hour of eight o'clock in the evening at the council chambers, township of North York.

(10) Unless a date and place for the first meeting has been decided upon by the former board in any year, the board of education shall hold its first meeting in each year on the second Wednesday in January at the hour of eight o'clock in the evening at the usual place of meeting of the former board.

(11) All the provisions of *The Boards of Education Act*, other than sections 13, 14, 15 and 16, which are not inconsistent with this section shall be read as part of this section and so far as such provisions are inconsistent with the provisions of this section they shall not apply to the board of education.

(12) The provisions of *The Public Schools Act*, *The High Schools Act* and *The Vocational Education Act*, 1930, which are not inconsistent with *The Boards of Education Act* and with this Act shall be read as part of this section, and the provisions of the said Acts and of *The School Attendance Act* shall apply to the said township and to the board of education

as if the said township were an urban municipality not separated from the county.

Legislative grants.

(13) Nothing in this section shall affect or alter the basis of legislative grants for the support of public schools as provided in section 8 and the said grants shall continue to be paid as therein provided.

Grants not to be reduced.

(14) No legislative or county grants or other amounts payable in respect of high schools, night schools, continuation schools, and vocational schools in the township of North York shall be reduced by reason of any of the provisions of this section.

Existing offices continued.

(15) The trustees of the said collegiate institute board and of the said public school boards shall remain in office until the board of education has been organized.

Commencement of Act.

**11.** This Act shall come into force on the day upon which it receives the Royal Assent.



BILL

An Act respecting the Township of  
North York

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*1st Reading*

March 19th, 1935

*2nd Reading*

April 12th, 1935

*3rd Reading*

April 17th, 1935

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MR. BAKER

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the Ontario Association of Architects.

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MR. STRACHAN

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(PRIVATE BILL)

No. 21

1935

# BILL

## An Act respecting the Ontario Association of Architects.

Preamble.

**W**HEREAS the Architects' Registration Board and the Ontario Association of Architects have by their petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The Architects Act, 1935*.

### THE ONTARIO ASSOCIATION OF ARCHITECTS

The Ontario Association of Architects continued.

2. The Ontario Association of Architects, hereinafter called the "Association," is continued as a body corporate.

Objects.

3. The objects of the Association shall be to promote and increase the knowledge, skill and proficiency of its members in all things relating to the profession of architecture, and to advance and maintain a high standard in the practice of architecture in Ontario, and to those ends, to establish and maintain, or to assist in the establishment and maintenance of classes, schools, exhibitions or lectures in, and to promote public appreciation of architecture and the allied arts and sciences.

Power to hold real estate.

4. The Association may acquire by purchase, lease or otherwise and take and possess for its purposes, but for no other purposes, and after acquiring the same, may sell, mortgage, lease or dispose of any real estate.

Assets and liabilities of Association and Architects Registration Board consolidated.

5. The property and assets of the Association and the Architects' Registration Board shall, from and after the date of the coming into force of this Act, become the property of the Association and be vested in it, and all liabilities of the said Association and Board as of such date shall become liabilities of the Association and shall be paid and satisfied by it.



**Head Office.** **6.** The head office of the Association shall be at the city of Toronto.

#### MEMBERSHIP

All Registered Architects and Members.  
1931, c. 43.

**7.** All persons whose names are in good standing as of the date of the coming into force of this Act on the Register of the Architects' Registration Board, pursuant to *The Architects Act, 1931*, and all persons hereafter admitted to membership in the Association pursuant to the provisions of this Act, shall be members of the Association and continue as such until such membership lapses or is suspended or cancelled in accordance with the provisions hereof.

**Qualifications for membership.** **8.** Membership in the Association shall be granted by the Registration Board of the Association on application to it, provided:

- (a) That the applicant is of good character;
- (b) That he is not less than twenty-one years of age;
- (c) That he has passed the prescribed examinations of the Registration Board of the Association or is exempted therefrom pursuant to its regulations;
- (d) Is domiciled in Ontario;
- (e) Is a British subject, or has taken the oath of allegiance and declared his intention of becoming a British subject.

#### TEMPORARY LICENSES TO PRACTISE

**Non-resident Architects desiring to practise.**

**9.** The Registration Board of the Association may grant to any person who is a British subject domiciled outside of the province of Ontario, and who is a member of an association or society of architects within the British Empire recognized by the Board, and who desires to practise architecture within the province of Ontario in connection with a particular work, a temporary license for the practice of architecture upon compliance with the regulations of the Registration Board of the Association in such matters provided, subject to the condition however that the preparation of the drawings and specifications for and the supervision of the particular work be carried out in collaboration with a member of the Association domiciled in Ontario.

#### COUNCIL OF THE ASSOCIATION

**Council of Association; number of Members.** **10.—(1)** There shall be a Council of the Association hereinafter called the "Council" which shall consist of six



members who shall be elected and hold office as hereinafter provided and where the immediate past president of the Association has not been re-elected to Council, he shall also be a member thereof until he ceased to be the immediate past president, and Council shall have power by by-law to increase the number of its members

**Electoral districts.**

(2) At least one member of the Council shall be elected from each of five electoral districts to be known as the "Windsor," "Hamilton," "Toronto," "London" and "Ottawa" districts, and the said five districts for the purpose of the first election of Council shall be composed as set forth in Schedule "A" hereto; provided, however, that the Council may by by-law alter the composition of any of the said electoral districts and in any by-law increasing the number of members of Council, may provide for the creation of one or more new electoral districts and for the election of at least one member of Council from each new district.

(3) The said electoral districts shall respectively include any city or separated town situate in any of the counties or districts forming part of such electoral districts.

**Term of office of first members.**

(4) The two highest candidates in the voting for the first election of Council shall hold office until the 1st day of January, 1939; the third and fourth highest candidates in such election shall hold office until the 1st day of January, 1938, and the fifth and sixth highest candidates in such election shall hold office until the 1st day of January, 1937.

**Of subsequent members.**

(5) Members of Council shall hold office for three years from the 1st day of January following the date of their election, except the members elected at the first election, whose term of office shall be as hereinbefore provided.

**Filling vacancies.**

(6) Any member of Council may resign by letter addressed to the President of the Association, and every vacancy caused by the death, resignation or incapacity of any member shall be filled by a member of the Association appointed by a majority vote of the members of Council still in office, provided a quorum remains in office otherwise an election shall be held to fill the vacancies, and a member of Council appointed or elected to fill a vacancy arising as aforesaid, shall hold office only until the expiration of the term of the member so dead, resigned or incapacitated, and he shall be from the electoral district of the member whose place he is elected or appointed to fill.

**Retiring member not eligible except he be President or Vice-president.**

(7) A retiring member of Council shall not be eligible for re-election for the year immediately following his retirement,



except he be the President or Vice-President at the date of his retirement.

#### REGISTRATION BOARD

**Registration Board.**

**11.**—(1) There shall be a Registration Board of the Association, hereinafter called the "Board." The purpose of such Board shall be to continue and carry on the functions of the Architects Registration Board established under *The Architects Act, 1931*, except as herein varied. The Board shall be composed as follows:

**University appointees.**

(a) One member of the Association to be appointed by the University of Toronto and one member of the Association by each other university, college, or body in the province of Ontario now by law authorized to grant degrees in architecture and which establishes and maintains to the satisfaction of the Board a faculty, school or department of architecture in connection therewith, each member appointed under this clause to hold office for a period of three years from the 1st day of January following his appointment, provided, however, that the nominee as of the date of the coming into force of this Act of the University of Toronto appointed to the Architects' Registration Board as constituted under *The Architects Act, 1931*, shall be the first representative under this clause, and he shall hold office until the 1st day of January, 1939.

**Government appointee.**

(b) One member of the Association to be appointed by the Lieutenant-Governor in Council, to hold office for a period of three years from the 1st day of January following his appointment, the first of such appointees to be the nominee of the Lieutenant-Governor in Council as of the date of the coming into force of this Act, appointed to the Architects' Registration Board as constituted under *The Architects Act, 1931*, and such appointee shall hold office until the 1st day of January, 1939.

**Elected members.**

(c) Three members of the Association for the first appointee under clause *a* of this subsection and one additional member of the Association for each additional appointee under said clause *a*, these members to be elected in the manner hereinafter provided, and each to hold office for three years from the 1st day of January following his election, except that in the case of the first members of the Board elected under this clause, the one having the highest number of votes shall hold office until the



1st day of January, 1939, and the one having the second highest number of votes until the 1st day of January, 1938, and the one having the third highest number of votes, until the 1st day of January, 1937.

**Eligibility  
for re-  
appoint-  
ment.**

(2) Any member of the Board not otherwise disqualified shall be eligible for re-appointment or re-election at the expiration of his term, but a member of Council elected to the Board shall resign his seat on the Council before taking his seat on the Board, and a member of the Board while in office, shall not be eligible for election to Council.

**Filling  
vacancies.**

(3) Any member of the Board may resign by letter addressed to the Chairman of the Board, and every vacancy on the Board caused by the death, resignation or incapacity of any member, if such member has been appointed under clause *a* of subsection 1, shall be filled by the university, college or body which appointed him, and if such member has been appointed under clause *b* of subsection 1 by the Lieutenant-Governor in Council, and if such member has been elected under clause *c* of subsection 1 then by a majority vote of the members of the Board still in office, provided a quorum is still in office, otherwise an election shall be held to fill the vacancy, and members of the Board appointed or elected to fill vacancies arising as aforesaid, shall hold office only until the expiration of the term of the member so dead, resigned or incapacitated.

#### ELECTIONS

**Procedure  
as to first  
elections for  
Council and  
the Board.**

**12.** The first election of members of the Council and of the elective members of the Board shall be held on the third Monday in June, 1935, and except as herein otherwise provided, the procedure as to nominations, balloting, counting of votes, and the breaking of a tie in respect of such first elections, shall be in accordance with the regulations of the Architects' Registration Board appointed under *The Architects Act, 1931*, relating to the election of members of the Board, as such regulations exist on the 1st day of May, 1935; provided, however, that there shall be separate ballots for the election of the members of Council and of the members of the Board.

**Right to  
vote.**

**13.** All persons who are on the 15th day of May, 1935, on the register of the Architects' Registration Board, pursuant to *The Architects Act, 1931*, and not under suspension, shall be entitled to vote at the first election for Council, and at the first election for the elective members of the Board, and thereafter all members of the Association shall be entitled to vote at such elections.



## POWERS OF THE BOARD

Board may make regulations.

Admission of members and annual renewal.

Qualifications.

Examination.

Register and certificates of membership.

Fees.

Discipline and control.

Cancellation of membership for non-payment of fees.

Elections, holding of meetings and quorum of the Board.

Officers of the Board.

General Powers.

**14.—(1)** The Board may make regulations:—

- (a) For the admission of members of the Association and the annual renewal of membership therein;
- (b) Prescribing the qualifications of persons to be admitted and the proofs to be furnished as to education, good character and experience;
- (c) Prescribing examinations for admission, and the method of conducting them;
- (d) For keeping a register of members of the Association and for issuing certificates of membership under the seal of the Board and calling in such certificates where membership lapses or is cancelled or suspended.
- (e) Prescribing the fees to be paid on admission of members to the Association and by associates and student associates, on examinations and on annual renewal of membership in the Association and as annual fees by associates and student associates;
- (f) Providing for the discipline and control of members of the Association including provision for the signing or sealing of drawings and specifications prepared by members of the Association;
- (g) Providing for the cancellation of membership for non-payment of fees;
- (h) Providing for the election of members of the Council and of the elective members of the Board other than the first elections of such members and for the holding of meetings of the Board and for fixing the quorum of the Board;
- (i) For the election of a Chairman and Vice-Chairman and the appointment of a Secretary and such other officers of the Board as it may desire and for prescribing their duties, and subject to the provisions hereinafter contained, for fixing the remuneration to be paid to them.
- (j) Generally for the better carrying out of the powers vested in the Board.



Publication  
of regula-  
tions.

(2) A copy of such regulations shall be furnished to every member of the Association.

Disciplinary  
regulations.

(3) Subject to the approval of the Lieutenant-Governor in Council, the Board may make regulations:—

- (a) Providing for the investigation of any complaint that a member of the Association has been guilty of misconduct or incompetence, so as to render it desirable in the public interest that his membership be suspended or cancelled;
- (b) Providing for the cancellation or suspension of the membership of any person found by the Board to be guilty of misconduct or incompetence and for the publication in the public press of notice of such cancellation or suspension and the reason therefor, and for providing for the terms and conditions on which a member whose membership has been cancelled may in a proper case be restored to membership.

Publication.

(4) Any regulations made under subsection 3 shall be published for two consecutive weeks in the *Ontario Gazette* and shall not take effect until so published and a copy thereof shall be furnished to every member of the Association.

#### POWERS AND DUTIES OF THE COUNCIL

Council may  
pass by-  
laws.

**15.** The Council of the Association may pass by-laws for:—

Control and  
management  
of property.

(a) The control and management of the real and personal property of the Association;

Promotion  
of knowl-  
edge, profi-  
ciency and  
ethics in the  
profession.

(b) Instituting and furnishing means and facilities for the promotion of knowledge, proficiency and a high standard of ethics in all things relating to the practice of architecture.

Scholarships,  
lectures and  
exhibitions.

(c) Providing scholarships, lectures and exhibitions.

Meetings of  
Association  
and Council

(d) The holding of meetings of the Association and the Council and fixing the quorum thereat.

Election and  
appointment  
of officers.

(e) The election of a President, Vice-President and Treasurer of the Association and the appointment of a Secretary and such other officers of the Association as Council may desire and for prescribing their duties, and subject to the provisions hereinafter contained for fixing the remuneration to be paid to them.



Election of  
associate,  
student-  
associate and  
honorary  
members.

Appoint-  
ment of  
represen-  
tatives.

Generally.

Application  
of funds of  
the Associa-  
tion.

Duty of  
Council and  
Members in  
respect of  
complaints.

Fees of  
Chairman and  
President not to  
exceed \$15  
per meeting  
and of  
members \$10  
per meeting.

Salary of  
Secretary.

- (f) The election of associates, student-associates, and honorary members.
- (g) Appointing representatives to other architectural associations or bodies and maintaining connection with the Royal Architectural Institute of Canada;
- (h) Generally for carrying out the objects of the Association in all matters other than those referred to in section 14 hereof, all of which are reserved for regulation by the Board.

**16.** The Council shall provide from the funds of the Association, all moneys required by the Board to enable it to function in accordance with the powers vested in it, and any funds of the Association may be applied in carrying out this Act and the regulations or by-laws made under it and in furthering the objects of the Association and paying the costs and expenses incurred for or incident to the enactment of this legislation.

**17.** It shall be the duty of each member of Council to bring before it all complaints of misconduct or incompetence on the part of any member of the Association which may be brought to his attention and it shall be the duty of the Council to bring before the Board all such cases which in its opinion should be dealt with by the Board, but nothing herein contained shall prevent anyone from himself bringing before the Board any complaints of misconduct or incompetence on the part of any member of the Association.

#### FEES OF MEMBERS OF THE COUNCIL AND THE BOARD

**18.** There shall be paid to the members of the Council and the Board such fees for attendance and such reasonable travelling expenses as may be fixed, in the case of the Board by its regulations, and in the case of the Council, by by-law, such fees exclusive of travelling expenses, not to exceed \$15 per meeting for the Chairman of the Board and \$15 per meeting for the President of the Association, and \$10 per meeting for any other member of the Board or the Council; provided, however, that where the Secretary of the Board or the Council is also a member of the Board or the Council, he may be paid such salary as the body appointing him may decide upon, in addition to or by way of substitution for his fee as a member of such body.

#### CHAPTERS OF THE ASSOCIATION

Chapters of  
the Associa-  
tion.

**19.** Subject to the approval of the Council, members may form themselves into groups for promoting the objects of the



Association, and such groups shall be known as Chapters and, subject to the approval of Council, each Chapter shall have power to make by-laws for the admission of members and associates thereof, for the election of officers, the holding of meetings and for otherwise conducting its affairs.

#### PENALTIES

**Prohibition against use of "architect" or "holding out" as architect by non-members.**

**20.**—(1) Every person who, not being a member of the Association, or who, having been a member, has had his membership cancelled or is under suspension, or who not being licensed under section 9, applies to himself the term "architect" alone or in combination with any other term, or who holds himself out as an architect, shall be guilty of an offence, and shall incur a penalty not exceeding \$100 for a first offence, and upon conviction of a subsequent offence, a penalty of not less than \$300 and not more than \$500 or imprisonment for a period not exceeding three months, or both.

**"Holding out" to include preparation of drawings, specifications or reproductions thereof and supervision in manner of an architect.**

**Exceptions.**

(2) Any person who furnishes directly or indirectly for hire, gain or hope of reward, drawings, specifications or reproductions thereof for the erection or alteration of any structure requiring the application of the art and science of architecture, or who for hire, gain or hope of reward directly or indirectly supervises in the manner of an architect the erection or alteration of any such structure shall be deemed to hold himself out as an architect within the meaning of this section; provided, however, that nothing herein contained shall prevent the performance of any such services by anyone in respect of farm buildings on or in respect of any work which is to cost as a whole less than \$5,000; nor a member or licensee of the Ontario Association of Professional Engineers domiciled in Canada, nor an employee of such member or licensee from performing any of such services in the course of any work undertaken or proposed to be undertaken by such member or licensee as an engineer; nor any mining engineer domiciled in Ontario from performing any of such professional services in respect of mining structures; nor any person, not being a corporation from performing any of such services in respect of any structure of which he is the *bona fide* owner; nor the employee of an architect from performing any such services for his employer; nor any contractor or builder, who not being a corporation is domiciled in Ontario on the 1st day of July, 1935, and who during a period of five years immediately preceding that date has made it a practice in his business as such contractor or builder to furnish plans and specifications for the erection or alteration of structures on which he has been the contractor or builder, from performing any such services in respect of the erection or alteration of structures upon which he is the contractor, or in the course of making a tender as a con-



tractor for the erection or alteration of any structure; nor a corporation which for a period of five years prior to the 1st day of July, 1935, has been in the business of selling material cut and prepared for the substantially complete erection or remodelling according to plans and specifications supplied by it, of houses and other structures, from continuing to supply such plans and specifications in the course of such business; but in prosecutions under this section the onus shall rest upon the accused of bringing himself within the above exceptions.

**Landscape Architect.**

(3) Nothing herein contained shall prevent anyone using the term "Landscape Architect."

**Associate, Student-associate and Honorary Members.**

(4) Associates, student-associates and honorary members shall not be deemed to be members of the Association within the meaning of this section unless and until admitted to membership pursuant to sections 7 and 8 hereof; provided however, that an honorary member who has at some time been a member of the Association and who has allowed his membership to lapse, may continue to apply to himself the term "architect," but may not practise architecture.

#### COMPLAINTS AGAINST MEMBERS

**Board has power of Commission under Rev. Stat. c. 20.**

**21.** In the investigation of any complaint against a member of the Association, the Board shall have all the power which may be conferred on a Commission appointed under *The Public Inquiries Act*.

**No action to lie against Board or Council.**

**22.—(1)** No action shall be brought against the Board or the Council or any member or officer thereof for anything done under this Act or under any by-law or regulation passed in accordance therewith, but anyone whose membership has been suspended or cancelled may within thirty days after the date of the order of suspension or cancellation appeal to a judge of the Supreme Court from such order and such appeal shall be upon not less than seven clear days' notice to the Board and shall be returnable within sixty days of the date of the Order appealed from or within such further time as a judge of the Supreme Court upon an *ex parte* application made before him may allow, and the practice and procedure in such an appeal shall be the same as upon an appeal from the report of a Master or Referee of the Supreme Court.

**Practise pending appeal.**

(2) Pending an appeal, the person whose membership is suspended or cancelled, may continue to practise but unless the order of suspension or cancellation be set aside, he shall not practise after the appeal has been disposed of except that in the case of suspension, he may practise upon and after the expiry of the period of suspension.



## PENALTY FOR FALSE CERTIFICATE

Wilfully  
false certifi-  
cates as to  
value or con-  
dition of  
work an  
offence.

- 23.** Any architect who wilfully makes any false certificate in respect to any work done or in respect to the cost, value or condition of any work or building shall be guilty of an offence and in addition being liable in damages for any injury or loss thereby suffered, shall incur a penalty not exceeding \$100.

## WITNESS FEES TO ARCHITECTS

Witness fees.

- 24.** Every architect summoned to attend any civil or criminal court for the purpose of giving evidence in his professional capacity, for each day he so attends, shall be entitled to \$5 in addition to his travelling expenses, to be taxed and paid in the manner by law provided with regard to the payment of witnesses attending such court.

## RECOVERY OF PENALTIES AND FEES

Penalties  
recoverable  
and enforce-  
able under  
Rev. Stat.,  
c. 121.

- 25.** The penalties imposed by or under the authority of this Act shall be recoverable, and enforceable under *The Summary Convictions Act*, and all fines recovered shall be paid over by the convicting magistrate or justice to the Treasurer for the use of the Association.

Burden of  
proof of  
membership.

- 26.** In any prosecution under this Act, the burden shall rest on the accused to prove that he is a member of the Association.

Recovery of  
fees.

- 27.** All fees fixed by the Regulations of the Board shall be deemed to be a debt due to the Association and shall be recoverable with the costs of the suit in the name of the Association in the Division Court of the division in which the member liable resides or practises as an architect.

1931, o. 43  
repealed.

- 28.** *The Architects Act, 1931*, is hereby repealed.

Date of  
coming into  
force of Act.

- 29.** This Act shall come into force on the 1st day of July, 1935, other than the provisions thereof relating to the first election of members of the Council and the elective members of the Board, which provisions shall come into force on the 1st day of June, 1935, in so far as is necessary to authorize and govern the conduct of such election.



SCHEDULE "A"  
ELECTORAL DISTRICTS

"*Windsor*"

Counties of Essex, Kent and Lambton.

"*Hamilton*"

Counties of Wentworth, Lincoln, Welland, Simcoe, Brant, Waterloo, Wellington, Grey, Haldimand and Norfolk.

"*Toronto*"

Counties of York, Ontario, Peel, Halton, Durham, Northumberland, Hastings, Lennox and Addington, Dufferin, Peterborough, Haliburton, Victoria, Prince Edward, and the districts of Haliburton, Parry Sound, Muskoka, Algoma, Manitoulin, Kenora, Rainy River and Thunder Bay, and all places outside of Ontario.

"*London*"

Counties of Middlesex, Huron, Bruce, Oxford, Elgin and Perth.

"*Ottawa*"

Counties of Frontenac, Carleton, Renfrew, Lanark, Grenville, Dundas, Stormont, Glengarry, Prescott and Russell and Leeds, and the Districts of Nipissing, Sudbury, Temiskaming and Cochrane.







BILL

An Act respecting the Ontario  
Association of Architects.

*1st Reading*

*2nd Reading*

*3rd Reading*

---

MR. STRACHAN

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(*Private Bill*)

No. 21

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the Ontario Association of Architects.

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MR. STRACHAN

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(PRIVATE BILL)

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 21

1935

# BILL

## An Act respecting the Ontario Association of Architects.

Preamble.

**W**HEREAS the Architects' Registration Board and the Ontario Association of Architects have by their petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Architects Act, 1935*.

### THE ONTARIO ASSOCIATION OF ARCHITECTS

The Ontario Association of Architects continued.

**2.** The Ontario Association of Architects, hereinafter called the "Association," is continued as a body corporate.

Objects.

**3.** The objects of the Association shall be to promote and increase the knowledge, skill and proficiency of its members in all things relating to the profession of architecture, and to advance and maintain a high standard in the practice of architecture in Ontario, and to those ends, to establish and maintain, or to assist in the establishment and maintenance of classes, schools, exhibitions or lectures in, and to promote public appreciation of architecture and the allied arts and sciences.

Power to hold real estate.

**4.** The Association may acquire by purchase, lease or otherwise and take and possess for its purposes, but for no other purposes, and after acquiring the same, may sell, mortgage, lease or dispose of any real estate.

Assets and liabilities of Association and Architects Registration Board consolidated.

**5.** The property and assets of the Association and the Architects' Registration Board shall, from and after the date of the coming into force of this Act, become the property of the Association and be vested in it, and all liabilities of the said Association and Board as of such date shall become liabilities of the Association and shall be paid and satisfied by it.



**Head Office.** **6.** The head office of the Association shall be at the city of Toronto.

#### MEMBERSHIP

All Registered Architects and Members.  
1931, c. 43.

**7.** All persons whose names are in good standing as of the 30th day of June, 1935, on the Register of the Architects' Registration Board, pursuant to *The Architects Act, 1931*, and all persons hereafter admitted to membership in the Association pursuant to the provisions of this Act, shall be members of the Association and continue as such until such membership lapses or is suspended or cancelled in accordance with the provisions hereof.

**Qualifications for membership.** **8.** Membership in the Association shall be granted by the Registration Board of the Association on application to it, provided:

- (a) That the applicant is of good character;
- (b) That he is not less than twenty-one years of age;
- (c) That he has passed the prescribed examinations of the Registration Board of the Association or is exempted therefrom pursuant to its regulations;
- (d) Is domiciled in Ontario;
- (e) Is a British subject, or has taken the oath of allegiance and declared his intention of becoming a British subject.



Non-resident Architects desiring to practise.

**9.** Membership in the Association or temporary licenses to practise in Ontario may be granted upon such terms and subject to such conditions as the said Registration Board may by regulation provide, to any person who is a British subject domiciled outside of the Province of Ontario but within the British Empire who is a member of an association or society of architects within the British Empire recognized by the Board.



#### COUNCIL OF THE ASSOCIATION

Council of Association; number of Members.

**10.—(1)** There shall be a Council of the Association hereinafter called the "Council" which shall consist of six members who shall be elected and hold office as hereinafter provided and where the immediate past president of the Association has not been re-elected to Council, he shall also be a member thereof until he ceases to be the immediate past president, and Council shall have power by by-law to increase the number of its members



## Electoral districts.

(2) At least one member of the Council shall be elected from each of five electoral districts to be known as the "Windsor," "Hamilton," "Toronto," "London" and "Ottawa" districts, and the said five districts for the purpose of the first election of Council shall be composed as set forth in Schedule "A" hereto; provided, however, that the Council may by by-law alter the composition of any of the said electoral districts and in any by-law increasing the number of members of Council, may provide for the creation of one or more new electoral districts and for the election of at least one member of Council from each new district.

(3) The said electoral districts shall respectively include any city or separated town situate in any of the counties or districts forming part of such electoral districts.

## Term of office of first members.

(4) At the first election of members of the Council the candidate in each electoral district receiving the highest number of votes shall be the member of the Council from that district and the sixth elected member of Council shall be the candidate other than those elected as aforesaid who receives the highest number of votes; and of the candidates so elected, the two highest candidates in the voting shall hold office until the 1st day of January, 1939; the third and fourth highest candidates shall hold office until the 1st day of January, 1938; and the fifth and sixth highest candidates shall hold office until the 1st day of January, 1937.



## Of subsequent members.

(5) Members of Council shall hold office for three years from the 1st day of January following the date of their election, except the members elected at the first election, whose term of office shall be as hereinbefore provided.

## Filling vacancies.

(6) Any member of Council may resign by letter addressed to the President of the Association, and every vacancy caused by the death, resignation or incapacity of any member shall be filled by a member of the Association appointed by a majority vote of the members of Council still in office, provided a quorum remains in office otherwise an election shall be held to fill the vacancies, and a member of Council appointed or elected to fill a vacancy arising as aforesaid, shall hold office only until the expiration of the term of the member so dead, resigned or incapacitated, and he shall be from the electoral district of the member whose place he is elected or appointed to fill.

## Retiring member not eligible except he be President or Vice-president.

(7) A retiring member of Council shall not be eligible for re-election for the year immediately following his retirement,



except he be the President or Vice-President at the date of his retirement.

#### REGISTRATION BOARD

**Registration Board.**

**11.**—(1) There shall be a Registration Board of the Association, hereinafter called the "Board." The purpose of such Board shall be to continue and carry on the functions of the Architects Registration Board established under *The Architects Act, 1931*, except as herein varied. The Board shall be composed as follows:

**University appointees.**

(a) One member of the Association to be appointed by the University of Toronto and one member of the Association by each other university, college, or body in the province of Ontario by law authorized to grant degrees in architecture and which establishes and maintains to the satisfaction of the Board a faculty, school or department of architecture in connection therewith, each member appointed under this clause to hold office for a period of three years from the 1st day of January following his appointment, provided, however, that the nominee as of the date of the coming into force of this Act of the University of Toronto appointed to the Architects' Registration Board as constituted under *The Architects Act, 1931*, shall be the first representative under this clause, and he shall hold office until the 1st day of January, 1939.

**Government appointee.**

(b) One member of the Association to be appointed by the Lieutenant-Governor in Council, to hold office for a period of three years from the 1st day of January following his appointment, the first of such appointees to be the nominee of the Lieutenant-Governor in Council as of the date of the coming into force of this Act, appointed to the Architects' Registration Board as constituted under *The Architects Act, 1931*, and such appointee shall hold office until the 1st day of January, 1939.

**Elected members.**

(c) Three members of the Association for the first appointee under clause *a* of this subsection and one additional member of the Association for each additional appointee under said clause *a*, these members to be elected in the manner hereinafter provided, and each to hold office for three years from the 1st day of January following his election, except that in the case of the first members of the Board elected under this clause, the one having the highest number of votes shall hold office until the



1st day of January, 1939, and the one having the second highest number of votes until the 1st day of January, 1938, and the one having the third highest number of votes, until the 1st day of January, 1937.

Eligibility  
for re-  
appoint-  
ment.

(2) Any member of the Board not otherwise disqualified shall be eligible for re-appointment or re-election at the expiration of his term, but a member of Council elected to the Board shall resign his seat on the Council before taking his seat on the Board, and a member of the Board while in office, shall not be eligible for election to Council.

Filling  
vacancies.

(3) Any member of the Board may resign by letter addressed to the Chairman of the Board, and every vacancy on the Board caused by the death, resignation or incapacity of any member, if such member has been appointed under clause *a* of subsection 1, shall be filled by the university, college or body which appointed him, and if such member has been appointed under clause *b* of subsection 1 by the Lieutenant-Governor in Council, and if such member has been elected under clause *c* of subsection 1 then by a majority vote of the members of the Board still in office, provided a quorum is still in office, otherwise an election shall be held to fill the vacancy, and members of the Board appointed or elected to fill vacancies arising as aforesaid, shall hold office only until the expiration of the term of the member so dead, resigned or incapacitated.

#### ELECTIONS

Procedure  
as to first  
elections for  
the elective  
members of  
the Board.

**12.** The first election of members of the Council and of the elective members of the Board shall be held on the third Monday in June, 1935, and except as herein otherwise provided, the procedure as to nominations, balloting, counting of votes, and the breaking of a tie in respect of such first elections, shall be in accordance with the regulations of the Architects' Registration Board appointed under *The Architects Act, 1931*, relating to the election of members of the Board, as such regulations exist on the 1st day of May, 1935; provided, however, that there shall be separate ballots for the election of the members of Council and of the members of the Board.

Right to  
vote.

**13.** All persons who are on the 15th day of May, 1935, on the register of the Architects' Registration Board, pursuant to *The Architects Act, 1931*, and not under suspension, shall be entitled to vote at the first election for Council, and at the first election for the elective members of the Board, and thereafter all members of the Association shall be entitled to vote at such elections.



## POWERS OF THE BOARD

- |   |  |
|---|--|
| Board may make regulations.                             | <b>14.</b> —(1) The Board may make regulations:—   |
| Admission of members and annual renewal.                | (a) For the admission of members of the Association and the annual renewal of membership therein;  |
| Qualifications.   | (b) Prescribing the qualifications of persons to be admitted and the proofs to be furnished as to education, good character and experience;  |
| Examinations.   | (c) Prescribing examinations for admission, and the method of conducting them;   |
| Register and certificates of membership.                | (d) For keeping a register of members of the Association and for issuing certificates of membership under the seal of the Association and calling in such certificates where membership lapses or is cancelled or suspended.   |
| Fees.   | (e) Prescribing the fees to be paid on admission of members to the Association and by associates and student associates, on examinations and on annual renewal of membership in the Association and as annual fees by associates and student associates;                             |
| Discipline and control.                                 | (f) Providing for the discipline and control of members of the Association including provision for the signing or sealing of drawings and specifications prepared by members of the Association;   |
| Cancellation of membership for non-payment of fees.     | (g) Providing for the cancellation of membership for non-payment of fees, and for the cancellation of membership where a member changes his domicile to some place outside the British Empire;   |
| Elections, holding of meetings and quorum of the Board. | (h) Providing for the election of members of the Council and of the elective members of the Board other than the first elections of such members and for the holding of meetings of the Board and for fixing the quorum of the Board;  |
| Officers of the Board.                                  | (i) For the election of a Chairman and Vice-Chairman and the appointment of a Secretary and such other officers of the Board as it may desire and for prescribing their duties, and subject to the provisions hereinafter contained, for fixing the remuneration to be paid to them. |
|   | (j) For granting temporary licenses to practise architecture pursuant to section 9 and fixing the fees to be paid thereon;   |
| General Powers.   | (k) Generally for the better carrying out of the powers vested in the Board.   |



Publication  
of regula-  
tions.

(2) A copy of such regulations shall be furnished to every member of the Association.

Disciplinary  
regulations.

(3) Subject to the approval of the Lieutenant-Governor in Council, the Board may make regulations:—

- (a) Providing for the investigation of any complaint that a member of the Association has been guilty of misconduct or incompetence, so as to render it desirable in the public interest that his membership be suspended or cancelled;
- (b) Providing for the cancellation or suspension of the membership of any person found by the Board to be guilty of misconduct or incompetence and for the publication in the public press of notice of such cancellation or suspension and the reason therefor;
- (c) Providing for the terms and conditions on which a member whose membership has been cancelled may in a proper case be restored to membership.

Publication.

(4) Any regulations made under subsection 3 shall be published for two consecutive weeks in the *Ontario Gazette* and shall not take effect until so published and a copy thereof shall be furnished to every member of the Association.

#### POWERS AND DUTIES OF THE COUNCIL

Council may  
pass by-  
laws.

**15.** The Council of the Association may pass by-laws for:—

Control and  
management  
of property.

- (a) The control and management of the real and personal property of the Association;
- (b) Instituting and furnishing means and facilities for the promotion of knowledge, proficiency and a high standard of ethics in all things relating to the practice of architecture.

Promotion  
of knowl-  
edge, profi-  
ciency and  
ethics in the  
profession. ■

- (c) Providing scholarships, lectures and exhibitions.

Scholarships,  
lectures and  
exhibitions.  
Meetings of  
Association  
and Council

- (d) The holding of meetings of the Association and the Council and fixing the quorum thereat.

Election and  
appointment  
of officers.

- (e) The election of a President, Vice-President and Treasurer of the Association and the appointment of a Secretary and such other officers of the Association as Council may desire and for prescribing their duties, and subject to the provisions hereinafter contained for fixing the remuneration to be paid to them.



Election of  
associate,  
student-  
associate and  
honorary  
members.

Appoint-  
ment of  
representa-  
tives.

Generally.

Application  
of funds of  
the Associa-  
tion.

Duty of  
Council and  
Members in  
respect of  
complaints.

Fees of  
Chairman  
and Presi-  
dent not to  
exceed \$15  
per meeting  
and of  
members \$10  
per meeting.

Salary of  
Secretary.

- (f) The election of associates, student-associates, and honorary members.
- (g) Appointing representatives to other architectural associations or bodies and maintaining connection with the Royal Architectural Institute of Canada;
- (h) Generally for carrying out the objects of the Association in all matters other than those referred to in section 14 hereof, all of which are reserved for regulation by the Board.

**16.** The Council shall provide from the funds of the Association, all moneys required by the Board to enable it to function in accordance with the powers vested in it, and any funds of the Association may be applied in carrying out this Act and the regulations or by-laws made under it and in furthering the objects of the Association and paying the costs and expenses incurred for or incident to the enactment of this legislation.

**17.** It shall be the duty of each member of Council to bring before it all complaints of misconduct or incompetence on the part of any member of the Association which may be brought to his attention and it shall be the duty of the Council to bring before the Board all such cases which in its opinion should be dealt with by the Board, but nothing herein contained shall prevent anyone from himself bringing before the Board any complaints of misconduct or incompetence on the part of any member of the Association.

#### FEES OF MEMBERS OF THE COUNCIL AND THE BOARD

**18.** There shall be paid to the members of the Council and the Board such fees for attendance and such reasonable travelling expenses as may be fixed, in the case of the Board by its regulations, and in the case of the Council, by by-law, such fees exclusive of travelling expenses, not to exceed \$15 per meeting for the Chairman of the Board and \$15 per meeting for the President of the Association, and \$10 per meeting for any other member of the Board or the Council; provided, however, that where the Secretary of the Board or the Council is also a member of the Board or the Council, he may be paid such salary as the body appointing him may decide upon, in addition to or by way of substitution for his fee as a member of such body.

#### CHAPTERS OF THE ASSOCIATION

**19.** Subject to the approval of the Council, members may form themselves into groups for promoting the objects of the

Chapters of  
the Associa-  
tion.



Association, and such groups shall be known as Chapters and, subject to the approval of Council, each Chapter shall have power to make by-laws for the admission of members and associates thereof, for the election of officers, the holding of meetings and for otherwise conducting its affairs.

#### PENALTIES

 Prohibition  
against  
use of word  
"architect,"  
etc.

**20.**—(1) Every person who, not being a member of the Association, or who, having been a member, has had his membership cancelled or is under suspension, or who not being licensed under section 9, applies to himself the term "architect" alone or in combination with any other term, or who holds himself out as an architect, shall be guilty of an offence, and shall incur a penalty not exceeding \$100 for a first offence, and upon conviction of a subsequent offence, a penalty of not less than \$300 and not more than \$500 or imprisonment for a period not exceeding three months, or both.

 "Holding  
out" as  
architect.

Exceptions.

(2) Any person who furnishes directly or indirectly for hire, gain or hope of reward drawings, specifications or reproductions thereof for the erection or alteration of any structure requiring the application of the art and science of architecture, or who for hire, gain or hope of reward directly or indirectly supervises in the manner of an architect the erection or alteration of any such structure shall be deemed to hold himself out as an architect within the meaning of this section; provided however that nothing herein contained shall prevent the performance of any such services by anyone in respect of farm buildings; nor in respect of any work the erection of which is to cost as a whole less than \$7,000, nor where the whole cost of the alterations to the structure is less than \$7,000; nor a member or licensee of the Ontario Association of Professional Engineers domiciled in Canada, nor an employee of such member or licensee from performing any of such services in the course of any work undertaken or proposed to be undertaken by such member or licensee as an engineer; nor any mining engineer, prospector or mine operator from performing any of such services in respect of structures on mining properties; nor any person not being a corporation, nor any firm acting through one of its members, nor any person, firm or corporation acting through one of his or its regular employees domiciled in Canada from performing any of such services in respect of any structure of which such person, firm or corporation is the *bona fide* owner; nor the employee of an architect from performing any such services for his employer; nor the employee of a person, firm or corporation employing one or more architects entitled to practise in Ontario under



this Act from performing any such services for his employer provided such services are rendered under the supervision of such architect or architects and the plans and specifications are signed by such supervising architect; nor prevent any contractor or builder who not being a corporation is domiciled in Ontario on the 1st day of July, 1935, from personally preparing plans and specifications for the erection or alteration of structures or from supervising the erection or alteration thereof provided he has the building contract or is tendering for the building contract for such work and includes in his contract price a reasonable charge for such services and provided he has had not less than five years experience prior to the 1st day of July, 1935, in personally preparing plans and specifications; nor prevent any person, firm or corporation engaged in the business of selling pre-fabricated structures from furnishing plans and specifications for the erection thereof to any purchaser of such a structure or from supervising the erection thereof.

Interior  
decoration,  
etc.

(3) Subsection 2 shall not apply to interior decoration or the installation of fixtures or equipment, where any structural alterations do not affect the strength or safety of the structure.

Real estate  
agents.

(4) Nothing herein contained shall prevent any registered real estate agent from furnishing drawings, specifications or reproductions thereof for alterations or from supervising the alteration of any structure, provided that the cost of such part of the alterations as affect the strength and safety of the structure does not exceed \$7,000; nor from furnishing drawings, specifications or reproductions thereof for or supervising the erection of any structure, provided that where the cost of the erection thereof exceeds \$7,000' the drawings and specifications upon which the structure is erected shall be furnished by an architect being a member of the Association or licensed under this Act.

Landscape  
architects.

(5) Nothing herein contained shall prevent anyone using the term "Landscape Architect."

Students,  
honorary  
members,  
etc.

(6) Associates, student-associates and honorary members shall not be deemed to be members of the Association within the meaning of this section unless and until admitted to membership pursuant to sections 7, 8 or 9 thereof; provided, however, that an honorary member or an associate who has at some time been a member of the Association may continue to apply to himself the term "architect," but may not practise architecture.





## COMPLAINTS AGAINST MEMBERS

Board has power of Commission under Rev. Stat. c. 20.

**21.** In the investigation of any complaint against a member of the Association, the Board shall have all the power which may be conferred on a Commission appointed under *The Public Inquiries Act*.

No action to lie against Board or Council.

**22.**—(1) No action shall be brought against the Board or the Council or any member or officer thereof for anything done under this Act or under any by-law or regulation passed in accordance therewith, but anyone whose membership has been suspended or cancelled may within thirty days after the date of the order of suspension or cancellation appeal to a judge of the Supreme Court from such order and such appeal shall be upon not less than seven clear days' notice to the Board and shall be returnable within sixty days of the date of the Order appealed from or within such further time as a judge of the Supreme Court upon an *ex parte* application made before him may allow, and the practice and procedure in such an appeal shall be the same as upon an appeal from the report of a Master or Referee of the Supreme Court.

Practise pending appeal.

(2) Pending an appeal, the person whose membership is suspended or cancelled, may continue to practise but unless the order of suspension or cancellation be set aside, he shall not practise after the appeal has been disposed of except that in the case of suspension, he may practise upon and after the expiry of the period of suspension.

## PENALTY FOR FALSE CERTIFICATE

Wilfully false certificates as to value or condition of work an offence.

**23.** Any architect who wilfully makes any false certificate in respect to any work done or in respect to the cost, value or condition of any work or building shall be guilty of an offence and in addition to being liable in damages for any injury or loss thereby suffered, shall incur a penalty not exceeding \$100.

## WITNESS FEES TO ARCHITECTS

Witness fees.

**24.** Every architect summoned to attend any civil or criminal court for the purpose of giving evidence in his professional capacity, for each day he so attends, shall be entitled to \$5 in addition to his travelling expenses, to be taxed and paid in the manner by law provided with regard to the payment of witnesses attending such court.

## RECOVERY OF PENALTIES AND FEES

Penalties recoverable and enforceable under Rev. Stat., c. 121.

**25.** The penalties imposed by or under the authority of this Act shall be recoverable, and enforceable under *The*



*Summary Convictions Act*, and all fines recovered shall be paid over by the convicting magistrate or justice to the Treasurer for the use of the Association.

Burden of proof of membership. **26.** In any prosecution under this Act, the burden shall rest on the accused to prove that he is a member of the Association.

Recovery of fees. **27.** All fees fixed by the Regulations of the Board shall be deemed to be a debt due to the Association and shall be recoverable with the costs of the suit in the name of the Association in the Division Court of the division in which the member liable resides or practises as an architect.

1931, c. 4<sup>3</sup> repealed. **28.** *The Architects Act, 1931*, is hereby repealed.

Date of coming into force of Act. **29.** This Act shall come into force on the 1st day of July, 1935, other than the provisions thereof relating to the first election of members of the Council and the elective members of the Board, which provisions shall come into force on the 1st day of June, 1935, in so far as is necessary to authorize and govern the conduct of such election.



SCHEDULE "A"  
ELECTORAL DISTRICTS

*"Windsor"*

Counties of Essex, Kent and Lambton.

*"Hamilton"*

Counties of Wentworth, Lincoln, Welland, Simcoe, Brant, Waterloo, Wellington, Grey, Haldimand and Norfolk.

*"Toronto"*

Counties of York, Ontario, Peel, Halton, Durham, Northumberland, Hastings, Lennox and Addington, Dufferin, Peterborough, Haliburton, Victoria, Prince Edward, and the districts of Haliburton, Parry Sound, Muskoka, Algoma, Manitoulin, Kenora, Rainy River and Thunder Bay, and all places outside of Ontario.

*"London"*

Counties of Middlesex, Huron, Bruce, Oxford, Elgin and Perth

*"Ottawa"*

Counties of Frontenac, Carleton, Renfrew, Lanark, Grenville, Dundas, Stormont, Glengarry, Prescott and Russell and Leeds, and the Districts of Nipissing, Sudbury, Temiskaming and Cochrane.



BILL

An Act respecting the Ontario  
Association of Architects.

*1st Reading*

March 12th, 1935

*2nd Reading*

*3rd Reading*

MR. STRACHAN

(Reprinted as amended by the Private Bills  
Committee)

NO. 21

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the Ontario Association of Architects.

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MR. STRACHAN

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 21

1935

# BILL

## An Act respecting the Ontario Association of Architects.

Preamble.

**W**HEREAS the Architects' Registration Board and the Ontario Association of Architects have by their petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Architects Act, 1935*.

### THE ONTARIO ASSOCIATION OF ARCHITECTS

The Ontario Association of Architects continued.

**2.** The Ontario Association of Architects, hereinafter called the "Association," is continued as a body corporate.

Objects.

**3.** The objects of the Association shall be to promote and increase the knowledge, skill and proficiency of its members in all things relating to the profession of architecture, and to advance and maintain a high standard in the practice of architecture in Ontario, and to those ends to establish and maintain, or to assist in the establishment and maintenance of classes, schools, exhibitions or lectures in, and to promote public appreciation of architecture and the allied arts and sciences.

Power to hold real estate.

**4.** The Association may acquire by purchase, lease or otherwise and take and possess for its purposes, but for no other purposes, and after acquiring the same, may sell, mortgage, lease or dispose of any real estate.

Assets and liabilities of Association and Architects Registration Board consolidated.

**5.** The property and assets of the Association and the Architects' Registration Board shall, from and after the date of the coming into force of this Act, become the property of the Association and be vested in it, and all liabilities of the said Association and Board as of such date shall become liabilities of the Association and shall be paid and satisfied by it.

**6.** The head office of the Association shall be at the city <sup>Head Office.</sup> of Toronto.

#### MEMBERSHIP

**7.** All persons whose names are in good standing as of the 30th day of June, 1935, on the Register of the Architects' Registration Board, pursuant to *The Architects Act, 1931*, and all persons hereafter admitted to membership in the Association pursuant to the provisions of this Act, shall be members of the Association and continue as such until such membership lapses or is suspended or cancelled in accordance with the provisions hereof.

All Registered Architects and Members.  
1931, c. 43.

**8.** Membership in the Association shall be granted by the Registration Board of the Association on application to it, <sup>Qualifications for</sup> membership, provided:

- (a) That the applicant is of good character;
- (b) That he is not less than twenty-one years of age;
- (c) That he has passed the prescribed examinations of the Registration Board of the Association or is exempted therefrom pursuant to its regulations;
- (d) Is domiciled in Ontario;
- (e) Is a British subject, or has taken the oath of allegiance and declared his intention of becoming a British subject.

**9.** Membership in the Association or temporary licenses <sup>Non-resident Architects</sup> to practise in Ontario may be granted upon such terms and <sup>desiring to practise.</sup> subject to such conditions as the said Registration Board may by regulation provide, to any person who is a British subject domiciled outside of the Province of Ontario but within the British Empire who is a member of an association or society of architects within the British Empire recognized by the Board.

#### COUNCIL OF THE ASSOCIATION

**10.—(1)** There shall be a Council of the Association <sup>Council of Association; number of Members.</sup> hereinafter called the "Council" which shall consist of six members who shall be elected and hold office as hereinafter provided and where the immediate past president of the Association has not been re-elected to Council, he shall also be a member thereof until he ceases to be the immediate past president, and Council shall have power by by-law to increase the number of its members.

## Electoral districts.

(2) At least one member of the Council shall be elected from each of five electoral districts to be known as the "Windsor," "Hamilton," "Toronto," "London" and "Ottawa" districts, and the said five districts for the purpose of the first election of Council shall be composed as set forth in Schedule "A" hereto; provided, however, that the Council may by by-law alter the composition of any of the said electoral districts and in any by-law increasing the number of members of Council may provide for the creation of one or more new electoral districts and for the election of at least one member of Council from each new district.

(3) The said electoral districts shall respectively include any city or separated town situate in any of the counties or districts forming part of such electoral districts.

## Term of office of first members.

(4) At the first election of members of the Council the candidate in each electoral district receiving the highest number of votes shall be the member of the Council from that district and the sixth elected member of Council shall be the candidate other than those elected as aforesaid who receives the highest number of votes; and of the candidates so elected, the two highest candidates in the voting shall hold office until the 1st day of January, 1939; the third and fourth highest candidates shall hold office until the 1st day of January, 1938; and the fifth and sixth highest candidates shall hold office until the 1st day of January, 1937.

## Of subsequent members.

(5) Members of Council shall hold office for three years from the 1st day of January following the date of their election, except the members elected at the first election, whose term of office shall be as hereinbefore provided.

## Filling vacancies.

(6) Any member of Council may resign by letter addressed to the President of the Association, and every vacancy caused by the death, resignation or incapacity of any member shall be filled by a member of the Association appointed by a majority vote of the members of Council still in office, provided a quorum remains in office, otherwise an election shall be held to fill the vacancies, and a member of Council appointed or elected to fill a vacancy arising as aforesaid, shall hold office only until the expiration of the term of the member so dead, resigned or incapacitated, and he shall be from the electoral district of the member whose place he is elected or appointed to fill.

## Retiring member not eligible except he be President or Vice-president.

(7) A retiring member of Council shall not be eligible for re-election for the year immediately following his retirement,

except he be the President or Vice-President at the date of his retirement.

#### REGISTRATION BOARD

**11.**—(1) There shall be a Registration Board of the <sup>Registration</sup> <sub>Board</sub> Association, hereinafter called the "Board." The purpose of such Board shall be to continue and carry on the functions of the Architects Registration Board established under *The Architects Act, 1931*, except as herein varied. The Board shall be composed as follows:

- (a) One member of the Association to be appointed by <sup>University</sup> <sub>appointees</sub> the University of Toronto and one member of the Association by each other university, college, or body in the province of Ontario by law authorized to grant degrees in architecture and which establishes and maintains to the satisfaction of the Board a faculty, school or department of architecture in connection therewith, each member appointed under this clause to hold office for a period of three years from the 1st day of January following his appointment, provided, however, that the nominee, as of the date of the coming into force of this Act, of the University of Toronto appointed to the Architects' Registration Board as constituted under *The Architects Act, 1931*, shall be the first representative under this clause, and he shall hold office until the 1st day of January, 1939.
- (b) One member of the Association to be appointed by <sup>Government</sup> <sub>appointee</sub> the Lieutenant-Governor in Council, to hold office for a period of three years from the 1st day of January following his appointment, the first of such appointees to be the nominee of the Lieutenant-Governor in Council, as of the date of the coming into force of this Act, appointed to the Architects' Registration Board as constituted under *The Architects Act, 1931*, and such appointee shall hold office until the 1st day of January, 1939.
- (c) Three members of the Association for the first <sup>Elected</sup> <sub>members</sub> appointee under clause *a* of this subsection and one additional member of the Association for each additional appointee under said clause *a*, these members to be elected in the manner hereinafter provided, and each to hold office for three years from the 1st day of January following his election, except that in the case of the first members of the Board elected under this clause, the one having the highest number of votes shall hold office until the

1st day of January, 1939, the one having the second highest number of votes until the 1st day of January, 1938, and the one having the third highest number of votes, until the 1st day of January, 1937.

~~Eligibility  
for re-  
appointment.~~

(2) Any member of the Board not otherwise disqualified shall be eligible for re-appointment or re-election at the expiration of his term, but a member of Council elected to the Board shall resign his seat on the Council before taking his seat on the Board, and a member of the Board, while in office, shall not be eligible for election to Council.

~~Filling  
vacancies.~~

(3) Any member of the Board may resign by letter addressed to the Chairman of the Board, and every vacancy on the Board caused by the death, resignation or incapacity of any member, if such member has been appointed under clause *a* of subsection 1, shall be filled by the university, college or body which appointed him, and if such member has been appointed under clause *b* of subsection 1 by the Lieutenant-Governor in Council, and if such member has been elected under clause *c* of subsection 1 then by a majority vote of the members of the Board still in office, provided a quorum is still in office, otherwise an election shall be held to fill the vacancy, and members of the Board appointed or elected to fill vacancies arising as aforesaid, shall hold office only until the expiration of the term of the member so dead, resigned or incapacitated.

#### ELECTIONS

~~Procedure  
as to first  
elections for  
the elective  
members of  
the Council  
and  
the Board.~~

**12.** The first election of members of the Council and of the elective members of the Board shall be held on the third Monday in June, 1935, and except as herein otherwise provided, the procedure as to nominations, balloting, counting of votes, and the breaking of a tie in respect of such first elections, shall be in accordance with the regulations of the Architects' Registration Board appointed under *The Architects Act, 1931*, relating to the election of members of the Board, as such regulations exist on the 1st day of May, 1935; provided, however, that there shall be separate ballots for the election of the members of Council and of the members of the Board.

~~Right to  
vote.~~

**13.** All persons who are on the 15th day of May, 1935, on the register of the Architects' Registration Board, pursuant to *The Architects Act, 1931*, and not under suspension, shall be entitled to vote at the first election for Council, and at the first election for the elective members of the Board, and thereafter all members of the Association shall be entitled to vote at such elections.

## POWERS OF THE BOARD

- 14.—(1) The Board may make regulations:—**
- Board may make regulations.
- (a) For the admission of members of the Association and the annual renewal of membership therein; Admission of members and annual renewal.
  - (b) Prescribing the qualifications of persons to be admitted and the proofs to be furnished as to education, good character and experience; Qualifications.
  - (c) Prescribing examinations for admission, and the method of conducting them; Examinations.
  - (d) For keeping a register of members of the Association and for issuing certificates of membership under the seal of the Association and calling in such certificates where membership lapses or is cancelled or suspended. Register and certificates of membership.
  - (e) Prescribing the fees to be paid on admission of members to the Association and by associates and student associates, on examinations and on annual renewal of membership in the Association and as annual fees by associates and student associates; Fees.
  - (f) Providing for the discipline and control of members of the Association including provision for the signing or sealing of drawings and specifications prepared by members of the Association; Discipline and control.
  - (g) Providing for the cancellation of membership for non-payment of fees, and for the cancellation of membership where a member changes his domicile to some place outside the British Empire; Cancellation of membership for non-payment of fees.
  - (h) Providing for the election of members of the Council and of the elective members of the Board other than the first elections of such members, and for the holding of meetings of the Board and for fixing the quorum of the Board; Elections, holding of meetings and quorum of the Board.
  - (i) For the election of a Chairman and Vice-Chairman and the appointment of a Secretary and such other officers of the Board as it may desire and for prescribing their duties, and subject to the provisions hereinafter contained, for fixing the remuneration to be paid to them. Officers of the Board.
  - (j) For granting temporary licenses to practise architecture pursuant to section 9 and fixing the fees to be paid thereon;
  - (k) Generally for the better carrying out of the powers vested in the Board. General Powers.

**Publication of regulations.** (2) A copy of such regulations shall be furnished to every member of the Association.

**Disciplinary regulations.** (3) Subject to the approval of the Lieutenant-Governor in Council, the Board may make regulations:—

- (a) Providing for the investigation of any complaint that a member of the Association has been guilty of misconduct or incompetence, so as to render it desirable in the public interest that his membership be suspended or cancelled;
- (b) Providing for the cancellation or suspension of the membership of any person found by the Board to be guilty of misconduct or incompetence and for the publication in the public press of notice of such cancellation or suspension and the reason therefor;
- (c) Providing for the terms and conditions on which a member whose membership has been cancelled may in a proper case be restored to membership.

**Publication.** (4) Any regulations made under subsection 3 shall be published for two consecutive weeks in the *Ontario Gazette* and shall not take effect until so published and a copy thereof shall be furnished to every member of the Association.

#### POWERS AND DUTIES OF THE COUNCIL

**Council may pass by-laws.** 15. The Council of the Association may pass by-laws for:—

- (a) The control and management of the real and personal property of the Association;
- (b) Instituting and furnishing means and facilities for the promotion of knowledge, proficiency and a high standard of ethics in all things relating to the practice of architecture;
- (c) Providing scholarships, lectures and exhibitions;
- (d) The holding of meetings of the Association and the Council and fixing the quorum thereat;
- (e) The election of a President, Vice-President and Treasurer of the Association and the appointment of a Secretary and such other officers of the Association as Council may desire and for prescribing their duties, and subject to the provisions hereinafter contained for fixing the remuneration to be paid to them;

**Scholarships, lectures and exhibitions.**

**Meetings of Association and Council**

**Election and appointment of officers.**

- (f) The election of associates, student-associates, and honorary members; Election of associate, student-associate and honorary members.
- (g) Appointing representatives to other architectural associations or bodies and maintaining connection with the Royal Architectural Institute of Canada; Appointment of representatives.
- (h) Generally for carrying out the objects of the Association in all matters other than those referred to in section 14 hereof, all of which are reserved for regulation by the Board. Generally.

**16.** The Council shall provide from the funds of the Association all moneys required by the Board to enable it to function in accordance with the powers vested in it, and any funds of the Association may be applied in carrying out this Act and the regulations or by-laws made under it and in furthering the objects of the Association and paying the costs and expenses incurred for or incident to the enactment of this legislation. Application of funds of the Association.

**17.** It shall be the duty of each member of Council to bring before it all complaints of misconduct or incompetence on the part of any member of the Association which may be brought to his attention and it shall be the duty of the Council to bring before the Board all such cases which in its opinion should be dealt with by the Board, but nothing herein contained shall prevent anyone from himself bringing before the Board any complaints of misconduct or incompetence on the part of any member of the Association. Duty of Council and Members in respect of complaints.

#### FEES OF MEMBERS OF THE COUNCIL AND THE BOARD

**18.** There shall be paid to the members of the Council and the Board such fees for attendance and such reasonable travelling expenses as may be fixed, in the case of the Board by its regulations, and in the case of the Council, by by-law, such fees exclusive of travelling expenses, not to exceed \$15 per meeting for the Chairman of the Board and \$15 per meeting for the President of the Association, and \$10 per meeting for any other member of the Board or the Council; provided, however, that where the Secretary of the Board or the Council is also a member of the Board or the Council, he may be paid such salary as the body appointing him may decide upon, in addition to or by way of substitution for his fee as a member of such body. Fees of Chairman and President not to exceed \$15 per meeting, and of members \$10 per meeting. Salary of Secretary.

#### CHAPTERS OF THE ASSOCIATION

**19.** Subject to the approval of the Council, members may form themselves into groups for promoting the objects of the Chapters of the Association.

Association, and such groups shall be known as Chapters and, subject to the approval of Council, each Chapter shall have power to make by-laws for the admission of members and associates thereof, for the election of officers, the holding of meetings and for otherwise conducting its affairs.

#### PENALTIES

Prohibition  
against  
use of word  
"architect,"  
etc.

**20.**—(1) Every person who, not being a member of the Association, or who, having been a member, has had his membership cancelled or is under suspension, or who not being licensed under section 9, applies to himself the term "architect" alone or in combination with any other term, or who holds himself out as an architect, shall be guilty of an offence, and shall incur a penalty not exceeding \$100 for a first offence, and upon conviction of a subsequent offence, a penalty of not less than \$300 and not more than \$500 or imprisonment for a period not exceeding three months, or both.

Landscape  
architects.

(2) Nothing herein contained shall prevent anyone using the term "Landscape Architect."

Students,  
honorary  
members,  
etc.

(3) Associates, student-associates and honorary members shall not be deemed to be members of the Association within the meaning of this section unless and until admitted to membership pursuant to sections 7, 8 or 9 thereof; provided, however, that an honorary member or an associate who has at some time been a member of the Association may continue to apply to himself the term "architect," but may not practise architecture.

#### COMPLAINTS AGAINST MEMBERS

Board has  
power of  
Commission  
under Rev.  
Stat. c. 20.

**21.** In the investigation of any complaint against a member of the Association, the Board shall have all the power which may be conferred on a Commission appointed under *The Public Inquiries Act*.

No action to  
lie against  
Board or  
Council.

**22.**—(1) No action shall be brought against the Board or the Council or any member or officer thereof for anything done under this Act or under any by-law or regulation passed in accordance therewith, but anyone whose membership has been suspended or cancelled may within thirty days after the date of the order of suspension or cancellation appeal to a judge of the Supreme Court from such order and such appeal shall be upon not less than seven clear days' notice to the Board and shall be returnable within sixty days of the date of the Order appealed from or within such further time as a judge of the Supreme Court upon an *ex parte* application

Right of  
appeal.

made before him may allow, and the practice and procedure in such an appeal shall be the same as upon an appeal from the report of a Master or Referee of the Supreme Court.

(2) Pending an appeal, the person whose membership is suspended or cancelled, may continue to practise but unless the order of suspension or cancellation be set aside, he shall not practise after the appeal has been disposed of, except that in the case of suspension, he may practise upon and after the expiry of the period of suspension.

#### PENALTY FOR FALSE CERTIFICATE

**23.** Any architect who wilfully makes any false certificate in respect to any work done or in respect to the cost, value or condition of any work or building shall be guilty of an offence and in addition to being liable in damages for any injury or loss thereby suffered, shall incur a penalty not exceeding \$100.

#### WITNESS FEES TO ARCHITECTS

**24.** Every architect summoned to attend any civil or criminal court for the purpose of giving evidence in his professional capacity, for each day he so attends, shall be entitled to \$5 in addition to his travelling expenses, to be taxed and paid in the manner by law provided with regard to the payment of witnesses attending such court.

#### RECOVERY OF PENALTIES AND FEES

**25.** The penalties imposed by or under the authority of this Act shall be recoverable, and enforceable under *The Summary Convictions Act*.

Penalties recoverable and enforceable under Rev. Stat., c. 121.

**26.** All fees fixed by the Regulations of the Board shall be deemed to be a debt due to the Association and shall be recoverable with the costs of the suit in the name of the Association in the Division Court of the division in which the member liable resides or practises as an architect.

**27.** *The Architects Act, 1931*, is hereby repealed.

1931, c. 43  
repealed.

**28.** This Act shall come into force on the 1st day of July, 1935, other than the provisions thereof relating to the first election of members of the Council and the elective members of the Board, which provisions shall come into force on the 1st day of June, 1935, in so far as is necessary to authorize and govern the conduct of such election.

Date of coming into force of Act.

SCHEDULE "A"  
ELECTORAL DISTRICTS

"*Windsor*"

Counties of Essex, Kent and Lambton.

"*Hamilton*"

Counties of Wentworth, Lincoln, Welland, Simcoe, Brant, Waterloo, Wellington, Grey, Haldimand and Norfolk.

"*Toronto*"

Counties of York, Ontario, Peel, Halton, Durham, Northumberland, Hastings, Lennox and Addington, Dufferin, Peterborough, Haliburton, Victoria, Prince Edward, and the districts of Haliburton, Parry Sound, Muskoka, Algoma, Manitoulin, Kenora, Rainy River and Thunder Bay, and all places outside of Ontario.

"*London*"

Counties of Middlesex, Huron, Bruce, Oxford, Elgin and Perth.

"*Ottawa*"

Counties of Frontenac, Carleton, Renfrew, Lanark, Grenville, Dundas, Stormont, Glengarry, Prescott and Russell and Leeds, and the Districts of Nipissing, Sudbury, Temiskaming and Cochrane.







BILL

An Act respecting the Ontario  
Association of Architects.

*1st Reading*

March 12th, 1935

*2nd Reading*

April 12th, 1935

*3rd Reading*

April 17th, 1935

MR. STRACHAN

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act to authorize the Law Society of Upper Canada to admit  
William Edwards MacDonald to the practice of law  
in Ontario.

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MR. LAPIERRE

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(PRIVATE BILL)

No. 22

1935

# BILL

An Act to authorize the Law Society of Upper Canada to admit William Edwards MacDonald to the practice of law in Ontario.

*Preamble.*

WHEREAS William Edwards MacDonald, of the city of Toronto, in the county of York, has by his petition set forth that on the 1st day of December, 1918, he was duly articled as a student-at-law to the late W. K. Murphy, K.C., a practising solicitor in the province of Ontario; that he was educated in the Public and Middle Schools of the said province and also privately, but that he did not obtain a matriculation certificate entitling him to file with the Law Society of Upper Canada his said articles of clerkship and he was therefore unable to attend lectures at Osgoode Hall; that for a period in excess of the past sixteen years he has been engaged in the study and practice of law in the employment and under the supervision of and in association with barristers and solicitors; that during the past sixteen years he has gained a wide knowledge of and experience in litigation, conveyancing, company, municipal and criminal law; that he has assisted in the preparation and passage of numerous Private Bills through the Parliament of Canada, particularly those concerning divorce, and, generally, he has for others qualified thereto performed the usual and ordinary work of a solicitor and legal practitioner; that he has been a Notary Public for the past ten years; that prior to taking up the study of law, he was a newspaper reporter and writer and acted as parliamentary representative of leading Canadian newspapers at the Ontario Legislature and the House of Commons; that he has had a large and varied municipal experience and has occupied many important public positions; that he is unable to attend Osgoode Hall because of heavy domestic responsibilities and for want of passing the matriculation examination at some Ontario University; and whereas the said William Edwards MacDonald has prayed that an Act may be passed to enable the Law Society of Upper Canada to admit him to practise at the bar of His Majesty's Courts in Ontario, and also to practise as a solicitor in the Supreme Court of Ontario and other courts; and whereas it is expedient to grant the prayer of the said petition;



Therefore His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Authority to  
Law Society  
to specially  
admit and  
call W. E.  
Macdonald  
to the legal  
profession.

**1.** It shall and may be lawful for the Law Society of Upper Canada, at any time hereafter, to admit the said William Edwards MacDonald to practise at the Bar of His Majesty's Courts in Ontario, and to practise as a solicitor in the Supreme Court of Judicature for Ontario, on his paying the proper fees in that behalf and without complying with any other requirements of the law or any other rules or regulations of the said Society in that behalf.

Commencement of Act.

**2.** This Act shall come into force on the day upon which it receives the Royal Assent.







BILL

An Act to authorize the Law Society of  
Upper Canada to admit William Edwards  
MacDonald to the practice of Law in  
Ontario.

*1st Reading*

*2nd Reading*

*3rd Reading*

---

MR. LAPIERRE

---

(*Private Bill*)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the City of London and City Gas Company of London.

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MR. DUNCAN

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(PRIVATE BILL)

No. 23

1935

# BILL

## An Act respecting the City of London and City Gas Company of London.

Preamble.

**W**HÈREAS the corporation of the city of London and City Gas Company of London have by their petitions prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The City of London (Gas Franchise) Act, 1935.*

Authority to submit gas franchise to electors at any time during the year.

**2.** The council of the corporation of the city of London may submit a by-law to grant the right to City Gas Company of London to supply to the said corporation and to the inhabitants of the said city gas, including natural gas, to the municipal electors of the said city for their assent, as provided for by section 3 of *The Municipal Franchises Act*, at any time during the year, instead of only on the day fixed for taking the poll at the annual municipal election, as required by subsection 4 of section 271 of *The Municipal Act*.

Rev. Stat., c. 240.

Rev. Stat., c. 233.

Gas franchise may extend for twenty years.

Rev. Stat., c. 240.

**3.** The council of the said corporation may grant to City Gas Company of London the right to supply to the said corporation and to the inhabitants of the said city gas, including natural gas, for a period not exceeding twenty years, in the event of the by-law setting forth the terms and conditions upon which and the period for which such right is to be granted, being assented to by the municipal electors as required by section 3 of *The Municipal Franchises Act*.

Commencement of Act.

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.



BILL

An Act respecting the City of London  
and City Gas Company of London

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*1st Reading*

*2nd Reading*

*3rd Reading*

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MR. DUNCAN

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(*Private Bill*)

No. 23

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

---

## BILL

An Act respecting the City of London and City Gas Company of London.

---

MR. DUNCAN

---

(PRIVATE BILL)

---

TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 23

1935

# BILL

## An Act respecting the City of London and City Gas Company of London.

**Preamble.**

WHEREAS the corporation of the city of London and City Gas Company of London have by their petitions prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

1. This Act may be cited as *The City of London (Gas Franchise) Act, 1935.*

**Authority to submit gas franchise to electors at any time during the year.**

2. The council of the corporation of the city of London may submit a by-law to grant the right to City Gas Company of London to supply to the said corporation and to the inhabitants of the said city gas, including natural gas, to the municipal electors of the said city for their assent, as provided for by section 3 of *The Municipal Franchises Act*, at any time during the year, instead of only on the day fixed for taking the poll at the annual municipal election, as required by subsection 4 of section 271 of *The Municipal Act*.

**Rev. Stat., c. 240.**

**Rev. Stat., c. 233.**

**Gas franchise may extend for twenty years.**

**Rev. Stat., c. 240.**

3. The council of the said corporation may grant to City Gas Company of London the right to supply to the said corporation and to the inhabitants of the said city gas, including natural gas, for a period not exceeding twenty years, in the event of the by-law setting forth the terms and conditions upon which and the period for which such right is to be granted, being assented to by the municipal electors as required by section 3 of *The Municipal Franchises Act*, in which event the said company shall be entitled to operate under such by-law but subject to the terms and conditions thereof and of any agreement referred to therein or entered



into pursuant thereto, and shall have the right to supply gas  
in accordance with such terms and conditions.

Commencement of Act. **4.** This Act shall come into force on the day upon which it receives the Royal Assent.







BILL

An Act respecting the City of London  
and City Gas Company of London

*1st Reading*

March 19th, 1935

*2nd Reading*

*3rd Reading*

MR. DUNCAN

(Reprinted as amended by the Private Bills  
Committee)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the City of London and City Gas Company of London.

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MR. DUNCAN

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 23

1935

# BILL

## An Act respecting the City of London and City Gas Company of London.

Preamble.

**W**HEREAS the corporation of the city of London and City Gas Company of London have by their petitions prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The City of London (Gas Franchise) Act, 1935*.

Authority to submit gas franchise to electors at any time during the year.

**2.** The council of the corporation of the city of London may submit a by-law to grant the right to City Gas Company of London to supply to the said corporation and to the inhabitants of the said city gas, including natural gas, to the municipal electors of the said city for their assent, as provided for by section 3 of *The Municipal Franchises Act*, at any time during the year, instead of only on the day fixed for taking the poll at the annual municipal election, as required by subsection 4 of section 271 of *The Municipal Act*.

Rev. Stat., c. 240.

Rev. Stat., c. 233.

Gas franchise may extend for twenty years.

Rev. Stat., c. 240.

**3.** The council of the said corporation may grant to City Gas Company of London the right to supply to the said corporation and to the inhabitants of the said city gas, including natural gas, for a period not exceeding twenty years, in the event of the by-law setting forth the terms and conditions upon which and the period for which such right is to be granted, being assented to by the municipal electors as required by section 3 of *The Municipal Franchises Act*, in which event the said company shall be entitled to operate under such by-law but subject to the terms and conditions thereof and of any agreement referred to therein or entered

into pursuant thereto, and shall have the right to supply gas in accordance with such terms and conditions.

**4.** This Act shall come into force on the day upon which it <sup>Commencement of Act.</sup> receives the Royal Assent.

BILL

An Act respecting the City of London  
and City Gas Company of London

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*1st Reading*

• March 19th, 1935

*2nd Reading*

April 3rd, 1935

*3rd Reading*

April 10th, 1935

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MR. DUNCAN

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the Town of Hawkesbury.

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MR. BELANGER

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(PRIVATE BILL)

No. 24

1935

# BILL

An Act respecting the Town of Hawkesbury.

Preamble.

**W**HEREAS the corporation of the town of Hawkesbury has by its petition prayed that an Act may be passed ratifying, confirming and validating a certain franchise agreement made between the Gatineau Electric Light Company, Limited, and the said corporation, dated the 11th day of February, 1935, with reference to the supply of electrical power and energy for the use of the said corporation and the inhabitants thereof; and whereas the said corporation has by its petition prayed for special legislation in respect of the other matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Town of Hawkesbury Act, 1935.*

By-law  
No. 547 and  
agreement  
confirmed.

**2.** By-law number 547 of the corporation of the town of Hawkesbury confirming an agreement dated the 11th day of February, A.D. 1935, made between the said corporation and the Gatineau Electric Light Company, Limited, and the said agreement are and each of them is hereby ratified, confirmed and declared to be legal, valid and binding on the said corporation and the ratepayers thereof, and upon the said company, its successors and assigns, and the said corporation is hereby authorized and empowered to do all acts and things necessary for the due fulfillment and proper carrying out of the said by-law and agreement.

Confirmation  
of tax  
sales and  
conveyances.

**3.—(1)** All sales of land within the town of Hawkesbury made prior to the 31st December, 1933, and purporting to have been made by the corporation of the town of Hawkesbury or its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation purporting to convey the said land so sold



to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the land so sold in the purchaser or his heirs or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein except taxes accruing after those for non-payment of which the land was sold.

Pending litigation not affected. (2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Commencement of Act. 4. This Act shall come into force on the day upon which it receives the Royal Assent.



CORPORATION OF THE TOWN OF HAWKESBURY  
BY-LAW NUMBER 547

Entitled a By-law to authorize the Mayor and Clerk of the said Town to enter into an agreement between the Corporation of the Town of Hawkesbury and the Gatineau Electric Light Company, Limited, whereby the Council of the Corporation of the Town of Hawkesbury authorizes the said Gatineau Electric Light Company, Limited, to supply electricity to the said Town and the inhabitants thereof for a term of ten years upon the terms and conditions set forth in said agreement and to authorize the procurement from the Legislature of Ontario of an Act thereof ratifying and confirming the said agreement and this By-law and for other purposes.

The Municipal Council of the Corporation of the Town of Hawkesbury  
ordains and enacts as follows:

1. That the said Municipality of the Corporation of the Town of Hawkesbury enter into a provisional agreement or contract with the said Gatineau Electric Light Company, Limited, according to the terms and conditions of the printed and written agreement or contract annexed hereto which forms part hereof and is incorporated herein.
  2. That the Mayor and Clerk of the said Corporation of the Town of Hawkesbury be hereby authorized to sign, seal and execute the said agreement or contract and any other necessary documents in connection therewith.
  3. That in order to obtain the assent of the electors of the Town of Hawkesbury to the said agreement and this by-law a vote of the said electors shall be taken in conformity with the proceedings necessary for the passage of money by-laws.
  4. That the present by-law shall come into force and effect on the date of the final passing thereof, and the Mayor and the Clerk are hereby authorized and directed to sign and execute the contract hereto annexed with the Gatineau Electric Light Company, Limited, to carry into effect the terms of this by-law.
  5. That the Corporation of the Town of Hawkesbury do forthwith through its Solicitors, Messrs. Lawlor and Richard, take all steps and proceedings that may be necessary to present a Bill to the Legislative Assembly of the Province of Ontario and procure an Act of the said Legislative Assembly ratifying and confirming the above-mentioned agreement and said by-law and the carrying out of all the terms thereof, and also for incorporating in the said proposed Private Bill a provision for the validating of all sales of land within the Town of Hawkesbury made prior to the 31st day of December, 1933, and purporting to have been made by the said Corporation for arrears of taxes due the said Corporation and the conveyances of land made in connection with the said sales.

Provisionally passed on the eleventh day of February, 1935.

(Sgd.) EUGENE PAQUETTE,  
*Clerk.*

(Sgd.) JAS. E. HOLLAND,  
*Mayor.*

Finally passed in open Council, three-fourths of all the members being present, signed by the Mayor and the Clerk, and sealed with the Seal of the Corporation of the Town of Hawkesbury, after a first, a second, and a third reading this day of , 1935.

Clerk.

*Mayor.*



This Indenture entered into this Eleventh day of February, A.D.  
One thousand nine hundred and thirty-five.

BY AND BETWEEN:

THE GATINEAU ELECTRIC LIGHT COMPANY LIMITED,  
a body politic and corporate, having its principal  
place of business in the City of Ottawa, Province  
of Ontario, duly represented by the accredited  
officials thereof, hereinafter called the "Electric  
Company."

Party of the First Part;

AND THE:

MUNICIPAL CORPORATION OF THE TOWN OF  
HAWKESBURY, hereinafter called the "Corporation,"

Party of the Second Part;

Witnesseth;

That whereas the Corporation is desirous of obtaining a supply of  
electrical power and energy for use of itself and the inhabitants of the  
said Town of Hawkesbury;

And whereas the Electric Company is willing to furnish this power  
to the extent and on the terms and conditions herein set forth;

Now therefore this Agreement witnesseth:

1. This agreement shall continue in force throughout a period of ten  
years commencing on the first day of January nineteen hundred and  
thirty-five, during which time the Corporation grants to the Electric  
Company the right to install, extend, operate and maintain the necessary  
equipment to provide for the transmission, distribution and sale of light,  
heat and power to the Corporation and to the inhabitants of the Town  
as well as to other Municipal Corporations and/or to the inhabitants of  
said Municipalities for electric light, heat and power purposes, in the  
public places of the Municipality, wherever required for the purposes of  
the Electric Company's business, together with the right, under the  
supervision and direction of an officer appointed by the Corporation,  
to trim and cut any trees in public places which may interfere with the  
proper installation or operation of the Electric Company's equipment,  
and to do such work in the public places of the Municipality as maybe  
necessary for the proper installation and operation of the Electric Com-  
pany's equipment.

2. In consideration whereof the Electric Company agrees to furnish  
on the first day of January, one thousand nine hundred and thirty-five,  
and thereafter daily throughout the term hereof an adequate and sufficient  
twenty-four hour service of electrical energy to the Corporation and to  
the inhabitants of the said Municipality under the terms and conditions  
of the schedules A, B, C, D, E, F and G, attached hereto and deemed  
to be incorporated with and form part of this agreement.

3. The rates set forth in the schedules shall apply to customers signing  
contracts subject to the rules, regulations and general conditions adopted  
by the Electric Company from time to time.

4. These rates will go into force and become effective on the first day  
of January, 1935.

5. The Electric Company may increase its rates to cover any increase  
in the cost of supplying the service due to any tax, license, royalty or  
other charge hereafter imposed by any Governmental authority, be it  
Federal, Provincial or Municipal (except the fixed taxation hereinafter  
provided).



6. The Electric Company agrees at the expiration of each five year period hereafter, on the request of the Corporation, to submit these rates for revision in the manner prescribed for arbitration as set forth in Clause 11 hereof, and in arriving at a decision with regard to such revised rates the arbitrators shall be entitled to take into consideration, rates prevailing at that time in Municipalities as nearly as possible of the same size and approximate number of customers, as well as any other factors, which should properly be so taken into consideration in fixing rates, and either party may appeal pursuant to the Arbitration Act from the decision of the arbitrators.

7. The Electric Company shall not be required to make any extension of its equipment to supply service, unless the annual revenue from such service for a minimum period of ten (10) years shall be equal to twenty-five per cent (25%) of the cost of such extension, nor to erect poles when the ground is frozen.

8. The Electric Company reserves the right to make an additional charge to cover the cost of supplying the service when it is required for a period of less than one year, and also reserves the right to require deposits to guarantee the securing of the Electric Company's accounts from such customers as it may decide.

9. The Corporation agrees to purchase and take from the Electric Company, subject to the rates and other conditions herein contained, all the electrical light, heat and power used by the Corporation for any and all purposes during a period of ten years from the first day of January, 1935, and agrees that during this period it will not purchase or use any other electric light, heat and power, nor permit any other persons or corporations to use the Public Places of the Municipality for the purpose of distribution or sale of light, heat or power in the Municipality, and that it will pay to the Electric Company for street lighting services each year during the said ten year period, an amount not less than the revenue which it would receive from a contract for one hundred and ninety-one lamps of a capacity of 100 watts each, as per attached schedule "G."

10. That notwithstanding anything contained in The Assessment Act of the Province of Ontario or any amendments thereto hereafter made, all the Electric Company's real estate, equipment and other properties from time to time situated during the period of ten years from the first day of January, 1935, in the said Town of Hawkesbury shall be assessed for all purposes including school purposes, business and other general or special municipal assessment (except local improvement rates) at the sum of Sixty Thousand Dollars (\$60,000.00) for each and every of the said years, at which sum the annual assessment thereof is hereby fixed and that the said valuation shall be held and taken to be the assessed valuation for which during the period aforesaid the said property shall be entered upon the assessment roll and it shall be a duty of the assessors from time to time to assess the same in accordance with the valuation hereby fixed and for no other or greater sum. It is agreed that the electric boiler building and the equipment therein now situate on the property of the Canadian International Paper Co., Ltd., in Hawkesbury, shall be deemed to be property of the Electric Company for the purpose of valuation by the assessor under The Assessment Act, and shall be included as such in the valuations and assessments so made by the assessors from time to time of the Electric Company's property.

That notwithstanding said fixed assessment for and during the said period of ten years the Electric Company shall pay to the Municipality in each year in full of said rates and taxes for all purposes including taxation for school purposes, business or other general or special municipal taxation (but exclusive of local improvement rates) the sum of twenty-eight hundred dollars (\$2,800.00) only, the same to be paid at the times and in the manner provided by the Municipality for the collection of rates and taxes and which sum the Electric Company covenants and agrees to pay and satisfy.

It is agreed that of the said sum of \$2,800.00 the sum of \$800.00 shall be applied in full of all school rates and of this amount \$400.00 shall be



paid to the Public School Board and \$400.00 to the Separate School Board of the said Municipality.

Nothing in this agreement contained shall affect local improvement rates embodied or levied upon the said properties.

11. In the event of any dispute arising in any way connected with this agreement, or the carrying out of its provisions and of the parties failing to agree, the dispute shall be submitted to the arbitration of three persons, one to be chosen by the Electric Company and the other by the Municipality and a third to be appointed by the persons so chosen, or on their failure to agree then as provided by the Arbitration Act all of the provisions of which Act are to apply to this arbitration.

12. The Electric Company will exert every effort, but does not guarantee at all times, to maintain continuity of supply of power, and will not be liable for any damages to any consumer in consequence of failure to supply power at any time or times for reasons reasonably beyond the control of the Electric Company, nor be considered in default. In case of urgent repairs, in order to prevent serious accident to person or property, the Electric Company reserves the right to interrupt in whole or in part the supply of power for the time necessary to make temporary repairs as may be deemed reasonable, but the Electric Company shall be prompt and diligent in making such repairs, and shall not be responsible for any damages resulting from the interruption of the Electric Company's services when such interruption is warranted for the reasons above explained.

13. The right is expressly reserved to the Electric Company to supply power for public utilities, pro rata, in the following order of priority—waterworks, lighting, traction or other purposes affecting the public, after which power shall be delivered pro rata, as may be available to the other customers of the Electric Company.

14. The Electric Company further assures the Corporation that every reasonable effort will be made by it, throughout the period of this agreement, for the purpose of securing and placing industries in the Town of Hawkesbury.

15. This agreement shall be binding upon and enure to the benefit of the parties hereto, their successors and assigns.

16. The legal and other expenses incurred by the Corporation in passing the necessary by-laws, taking the necessary votes of the rate-payers and obtaining necessary legislation to ratify this agreement to be borne by the parties hereto in equal shares. Either party may require any solicitor's bill in connection therewith to be taxed as between solicitor and client.

In witness whereof the said parties of these presents have hereto set their hands and seals this Eleventh day of February, A.D. One thousand nine-hundred and thirty-five.

SIGNED, SEALED AND DELIVERED

In the presence of

As to execution by GATINEAU ELECTRIC LIGHT COMPANY, LIMITED.

(Sgd.) F. L. FOSTER.

As to execution by MUNICIPAL CORPORATION OF THE TOWN OF HAWKESBURY.

(Sgd.) A. E. RICHARD.

GATINEAU ELECTRIC LIGHT COMPANY, LIMITED.

(Sgd.) G. GORDON GALE,  
*Vice-President.*

(Sgd.) J. R. BINKS,  
*Secretary.*

CORPORATION OF THE TOWN OF HAWKESBURY.

(Sgd.) JAS. E. HOLLAND,  
*Mayor.*

(Sgd.) EUG. PAQUETTE,  
*Clerk.*



*Schedule "A"*

## DOMESTIC LIGHTING AND APPLIANCE RATES

Service under this rate shall include only domestic lighting, cooking, water heating, domestic appliances, air heaters up to a total capacity of 1,000 watts and motors for domestic uses up to a total capacity of 3 horsepower.

Where ranges and water heaters are served on the same service, a double throw switch must be installed between the range and the water heater, so that only one of these appliances can be used at one time.

Each residence with sheds attached including a garage for storing cars, barns and stables adjacent to the house, on the same side of the road and served from one loop, shall constitute a service to be covered by one contract.

When a house or building is occupied by two or more families, each carrying on separate housekeeping, even though parts of the building be common to each householder, each family shall be considered as a customer. If the arrangement of the wiring does not permit the measurement of the current used by each customer, a service charge shall be made and the first block of energy shall be increased to include a block to be charged at the first rate for each customer in the building, and the minimum bill for the service shall be increased to include the minimum monthly charge for each customer.

Where due to the present arrangement of the wiring, more than one meter is required to measure the amount of energy consumed, the customer shall pay the Company a monthly meter rental of 25 cents for each additional meter required on his premises.

## DOMESTIC RATE

Service Charge..... 66c per month plus  
                       5c for the first 50 Kw. Hr. per month,  
                       2½c    "    next 150    "    "  
                       1½c    "    balance.

Gross Minimum Bill..... \$1.11.

Discount..... 10% for payment within 10 days from date of account.

Minimum Contract Period..... One year.

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*Schedule "B"*

## COMMERCIAL LIGHTING AND APPLIANCE RATE

This rate shall apply to all stores, taverns, hotels, boarding houses, rooming houses, restaurants, tourists' camps, dance halls, moving picture or concert halls, banks, telephone exchanges, telegraph offices, railway stations, customs and immigration depots, outdoor signs not attached to or forming a part of an existing service, garages, churches, post office buildings, public buildings, warehouses, factories, shops and small commercial establishments occupying a portion of one floor and in which more than three outlets or 300 watts of electrical devices are installed and all other commercial establishments which are not used for domestic purposes only.

Rooming houses and boarding houses shall be those in which three or more persons, not members of the immediate family of the customer, are domiciled or obtaining meals.



Motors up to a total capacity of 3 horsepower may be served under this rate.

#### COMMERCIAL RATE

Service Charge.....66c for the first 1,000 watts or less of installed capacity or maximum demand, plus 5c per 100 watts for all additional capacity or maximum demand. Plus 5c. per Kw. Hr. for the first 50 hours' use per Kw. per month of installed capacity or maximum demand. Plus 2½c per Kw. Hr. for the balance of consumption during the month.

Gross Minimum Monthly Bill.. \$1.11.

Discount.....10% for payment within 10 days from date of account.

Minimum Contract Period.....One year.

Nominal installed capacity will be computed to the nearest Kv. A., e.g., 2499 volt-amperes will be considered 2 Kv. A. while 2,500 volt-amperes will be considered 3 Kv. A.

Maximum demand meters will, at the customers' option, be installed on services whose installed capacity exceeds 3 Kw. at a charge of twenty-five cents per month.

If the Company so requires, consumers using certain types of apparatus operating at abnormally low power factor, such as glow tubes, welding apparatus, etc., may be obliged to install power factor corrective apparatus at their own expense. Such corrective apparatus will be arranged to be turned off by the same switch which disconnects the current supply to the apparatus.

Failing the installation of such corrective apparatus, billing for such loads will be on a volt-ampere basis.

#### MIXED PREMISES

When part of one floor of a residence is used by the householder for commercial purposes, domestic rates will apply to the combined installation, if the installed capacity used commercially is 300 volt-amperes or less. Otherwise or if the business premises are occupied by another party, separate contracts will be required.

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#### *Schedule "C"*

#### OPTIONAL WATER HEATING RATE BY SEPARATE HEATER

For Water Heater Installations which are approved by the Company, and which are controlled by relay or time switch, so that the hours of use will be under the control of the Company.

One cent per Kw. Hr.

Gross Minimum Monthly Bill.. \$1.11.

Discount.....10% for payment within ten (10) days of the date of the account.



*Schedule "D"*

## GENERAL POWER RATE

This rate to apply to all installations from 1-100 horsepower.

Service Charge.....\$1.66 per h.p. of maximum demand per month.  
Plus Energy Charge.....First fifty Kw. Hrs. per horsepower of maximum demand per month at  $2\frac{1}{2}$  cents per kilowatt hour.

Second fifty kilowatt hours per horsepower of maximum demand per month at 1 cent per kilowatt hour.

Balance per horsepower of maximum demand per month at  $\frac{1}{2}$  cent per kilowatt hour.

Minimum.....\$1.50 per h.p. per month net.

Discount.....Ten per cent. for payment within ten days.

Term of Contract.....The minimum term of the contract under this rate is one year.

Determination of Demand. The determination of the maximum demand under this contract may be by the nameplate rating of the motors or by test made from time to time. The Company may install an approved type of maximum demand meter and the demand once established shall form the basis of billing until the established demand has been exceeded.

Where a customer is operating two or more motors the demand, unless measured by maximum demand meter, shall be based on the greatest rated capacity of motors which can be used at one time.

Special Conditions.....The cost of connection must be carefully estimated for each customer and where the cost is unusually high, the Company may ask the customer to bear a portion of the cost of connection.

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*Schedule "E"*

## SEASONAL POWER SERVICE

This rate to be used for sawmills, quarries, etc., operating for not less than five continuous months during the year.

Service Charge.....Two dollars and fifty cents (\$2.50) per horsepower of maximum demand per month.

Plus Consumption.....Same as for General Power Service.

Discount.....Ten per cent. for payment within ten days.

Term of Contract.....Five months.

Determination of Demand..As for General Power Service.



Special Conditions.....The customer must pay for all connections and disconnections.

Where a customer contracts to take power for five months only during one year, the Company may demand that each month service charge be paid in advance.

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*Schedule "F"*

SHORT TIME POWER USE

This rate to be used for customers using power for less than five months during the year.

Service Charge.....\$4.44 per horsepower per month.

Energy Charge.....No energy charge.

Determination of Demand..The demand may be used on the name-plate rating of the motors, but it is subject to test at any time.

Discount.....Ten per cent. for payment within ten days.

Term of Contract.....One to five months, each fraction of a month to be counted as a full month.

Special Conditions.....The customer is to pay all the costs of connection and disconnection.

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*Schedule "G"*

STREET LIGHTING

\$1.00 per Lamp of 100 watts per month,  
\$1.50 per Lamp of 200 watts per month,

—for lamps spaced not further apart than on alternate poles—with an additional charge of Fifty Cents per month for each pole span in excess of two spans per lamp.

Renewals.....To be supplied by the Municipality.







BILL

An Act respecting the Town of Hawkesbury.

---

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. BELANGER

---

(*Private Bill*)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the County of York.

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MR. GARDHOUSE

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(PRIVATE BILL)

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 25

1935

# BILL

## An Act respecting the County of York.

**Preamble.**

**W**HEREAS the corporation of the county of York has by its petition prayed for special legislation in regard to the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

**1.** This Act may be cited as *The County of York Act, 1935*.

**Tax sales  
and  
conveyances  
confirmed.**

**2.**—(1) All sales of land within the county of York made prior to the 31st day of December, 1933, and purporting to have been made by the treasurer of the corporation of the county of York, for arrears of taxes in respect to land so sold, are hereby validated and confirmed, and all conveyances of land so sold and executed by the warden and treasurer of the said corporation, purporting to convey the said lands so sold to the purchaser thereof, or his heirs or assigns, shall have the effect of vesting the lands so sold in the purchaser, or his heirs or assigns, and his heirs and assigns in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon, and dower therein, except taxes accruing after those for non-payment of which the land was sold.

**Pending  
litigation  
not  
affected.**

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

**Powers as to  
county  
markets.**

**3.** The corporation of the county of York shall in relation to markets have and shall be deemed to have had all the powers conferred upon local municipalities by subsection 1 of section 400 of *The Municipal Act*, but subject to the provisions of section 401 of the said Act.



Power to  
appoint an  
administrative  
committee for  
county  
affairs.

**4.**—(1) The said corporation may pass by-laws to make provision for the administration of affairs by a committee of the council of the said corporation to be known as the Warden and Commissioners of the County of York, and to prescribe their duties and to define their jurisdiction and powers.

Approval of  
Ontario  
Municipal  
Board  
requisite.

(2) No such by-law or by-laws shall take effect until approved by the Ontario Municipal Board.

By-law  
No. 1742  
confirmed.

**5.** By-law number 1742 of the said corporation passed on the 11th day of February, 1933, providing for the equalization of the assessment of the county of York is hereby ratified and confirmed, and declared to be legal, valid and binding upon the said corporation, and upon each of the local municipalities in and forming part of the said county.

Commencement of Act.

**6.** This Act other than section 2 shall come into force on the day upon which it receives the Royal Assent. Section 2 shall come into force on the 1st day of July, 1935.







BILL

An Act respecting the County of York

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. GARDHOUSE

(*Private Bill*)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the County of York.

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MR. GARDHOUSE

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 25

1935

# BILL

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**2.**—(1) All sales of land within the county of York made prior to the 31st day of December, 1933, and purporting to have been made by the treasurer of the corporation of the county of York, for arrears of taxes in respect to land so sold, are hereby validated and confirmed, and all conveyances of land so sold and executed by the warden and treasurer of the said corporation, purporting to convey the said lands so sold to the purchaser thereof, or his heirs or assigns, shall have the effect of vesting the lands so sold in the purchaser, or his heirs or assigns, and his heirs and assigns in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon, and dower therein, except taxes accruing after those for non-payment of which the land was sold.

Pending  
litigation  
not  
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Powers as to  
county  
markets.

**3.** The corporation of the county of York shall in relation to markets have and shall be deemed to have had all the powers conferred upon local municipalities by subsection 1 of section 400 of *The Municipal Act*, but subject to the provisions of section 401 of the said Act.

**4.**—(1) The said corporation may pass by-laws to make provision for the administration of affairs by a committee of the council of the said corporation to be known as the Warden and Commissioners of the County of York, and to prescribe their duties and to define their jurisdiction and powers.

(2) No such by-law or by-laws shall take effect until approved by the Ontario Municipal Board.

Approval of  
Ontario  
Municipal  
Board  
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**5.** By-law number 1742 of the said corporation passed on the 11th day of February, 1933, providing for the equalization of the assessment of the county of York is hereby ratified and confirmed, and declared to be legal, valid and binding upon the said corporation, and upon each of the local municipalities in and forming part of the said county.

**6.** This Act other than section 2 shall come into force on the day upon which it receives the Royal Assent. Section 2 shall come into force on the 1st day of July, 1935.

By-law  
No. 1742  
confirmed.

BILL

An Act respecting the County of York

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*1st Reading*

March 5th, 1935

*2nd Reading*

March 29th, 1935

*3rd Reading*

April 3rd, 1935

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MR. GARDHOUSE

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the City of London.

---

MR. DUNCAN

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(PRIVATE BILL)

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 27

1935

# BILL

## An Act respecting the City of London.

**Preamble.**

**W**HEREAS the corporation of the city of London has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

1. This Act may be cited as *The City of London Act, 1935.*

**Authority to issue debentures for cost of York Street bridge.**

2. The corporation of the city of London may pass a by-law to borrow, and may borrow, the sum of \$80,000 and may issue debentures therefor for any period not exceeding twenty years from the date thereof and at such rate of interest not exceeding five per centum per annum as the council of the said corporation may determine, to provide moneys to pay for the erection of a new bridge crossing the River Thames at York Street in the city of London, without submitting the by-law to the electors of the said city for their assent.

**Authority to issue debentures for grade separation purposes (London and Port Stanley Railway).**

3. The said corporation may pass a by-law, or by-laws, from time to time, to borrow, and may borrow, a sum not exceeding \$300,000 and may issue debentures therefor for any period not exceeding twenty years from the date thereof, and at such rate of interest not exceeding five per centum per annum as the council of the said corporation may determine to provide moneys to pay the amount required to be paid by the London and Port Stanley Railway Company for its share of grade separation costs in the said city of London, without submitting the by-law or by-laws to the electors of the said city for their assent, and the amount so borrowed shall, until repaid by the said company to the said corporation, be and remain a lien and charge upon the said railway and the franchise, tolls, revenues and other property of the said railway now owned or possessed or hereafter owned or possessed by the said company.



Power to  
license sales  
of ice from  
booths.

**4.** The council of the said corporation may, from time to time, pass by-laws for licensing, regulating and governing persons, firms and corporations, who sell or offer for sale ice in the city of London, for domestic purposes from a booth or booths, and for charging a fee not exceeding ten dollars for each of such licenses, and for revoking such licenses, and the council of the said corporation may refuse any such license, and it shall not be bound to give any reason for refusing or revoking a license, and its action shall not be open to question or review by any court.

Public  
Library  
Board,—  
term of office  
of members.

**5.—(1)** The term of office of the members of the Public Library Board of the city of London shall be from the 1st day of January in each year to the 1st day of January in the following year, but every member shall hold office until his successor is appointed.

Term of  
present  
members to  
cease on  
1st January,  
1936.

**(2)** The term of office of each of the persons who are members of the said public library board at the time of the passing of this Act shall cease and be determined on the 1st day of January, 1936, notwithstanding that the term of office to which any of them was appointed may have been for a time to continue after the said date.

Validation of  
will (and  
codicils) of  
Elsie P.  
Williams,  
deceased.

**6.** The last will and testament and codicils thereto of Elsie P. Williams, in her lifetime of the township of London in the county of Middlesex, widow, deceased (probate whereof was granted by the Surrogate Court of the county of Middlesex on the 10th day of October, 1934) is legal and valid; and the said corporation is authorized to accept the provisions made for it by the said will and codicils and to carry out the terms thereof.

Confirma-  
tion of tax  
sales and  
conveyances.

**7.—(1)** All sales of land within the city of London made prior to the 31st day of December, 1933, and purporting to have been made by the corporation of the city of London or its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation, purporting to convey the said lands so sold to the purchaser thereof, or his heirs, or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser, or his heirs or assigns, and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.



Pending litigation not affected. (2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Confirmation of unemployment relief works. 8. The undertakings by the said corporation, for the relief of unemployment, of works consisting of the repairing of certain streets, construction of sewers, widening of pavements, repairing and improving sidewalks, improvement of parks, Western University improvements, wood cutting, completion of Mill Creek fill on London and Port Stanley Railway and other works at a total cost of \$148,718 are hereby declared to be legal and valid.

Authority to issue debentures for unemployment relief works—\$148,718. 9. The said corporation may pass a by-law or by-laws to borrow, and may borrow a sum not exceeding \$148,718 for the purposes mentioned in section 8 of this Act, and may issue debentures therefor from time to time for any period not exceeding twenty years from the date thereof and at such rate of interest not exceeding five per centum per annum as the said council may determine to provide moneys to defray the cost of the works mentioned in section 8 of this Act without submitting the by-law or by-laws to the electors of the said city for their assent.

Compliance with Rev. Stat., c. 233, not requisite. 10. It shall not be necessary for the said corporation to observe, in respect of the by-laws mentioned in sections 2, 3 and 9 of this Act, the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Irregularities not to invalidate. 11. No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof, or the interest thereon.

Commencement of Act. 12. This Act, other than section 7, shall come into force on the day upon which it receives the Royal Assent. Section 7 shall come into force on the 1st day of July, 1935.



BILL

An Act respecting the City of London.

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. DUNCAN

(*Private Bill*)

No. 27

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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3. The said corporation may pass a by-law, or by-laws, from time to time, to borrow, and may borrow, a sum not exceeding \$300,000 and may issue debentures therefor for any period not exceeding twenty years from the date thereof, and at such rate of interest not exceeding five per centum per annum as the council of the said corporation may determine to provide moneys to pay the amount required to be paid by the London and Port Stanley Railway Company for its share of grade separation costs in the said city of London, without submitting the by-law or by-laws to the electors of the said city for their assent, and the amount so borrowed shall, until repaid by the said company to the said corporation, be and remain a lien and charge upon the said railway and the franchise, tolls, revenues and other property of the said railway now owned or possessed or hereafter owned or possessed by the said company.



Power to  
license sales  
of ice from  
booths.

**4.** The council of the said corporation may, from time to time, pass by-laws for licensing, regulating and governing persons, firms and corporations, who sell or offer for sale ice in the city of London, for domestic purposes from a booth or booths, and for charging a fee not exceeding two dollars for each of such licenses, and for revoking such licenses, and the council of the said corporation may refuse any such license, and it shall not be bound to give any reason for refusing or revoking a license, and its action shall not be open to question or review by any court.

Validation of  
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Elsie P.  
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**5.** The provisions made by the last will and testament and codicils thereto of Elsie P. Williams, in her lifetime of the township of London in the county of Middlesex, widow, deceased (probate whereof was granted by the Surrogate Court of the county of Middlesex on the 10th day of October, 1934) for or for the benefit of the corporation of the city of London are legal and valid, and the said corporation is authorized to accept the provisions made for it by the said will and codicils and to carry out the terms thereof.

Confirmation of tax  
sales and  
conveyances.

**6.**—(1) All sales of land within the city of London made prior to the 31st day of December, 1933, and purporting to have been made by the corporation of the city of London or its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation, purporting to convey the said lands so sold to the purchaser thereof, or his heirs, or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser, or his heirs or assigns, and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.

Pending  
litigation not  
affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

Confirmation of  
unemploy-  
ment relief  
works.

**7.** The undertakings by the said corporation, for the relief of unemployment, of works consisting of the repairing of certain streets, construction of sewers, widening of pavements, repairing and improving sidewalks, improvement of parks, Western University improvements, wood cutting, completion



of Mill Creek fill on London and Port Stanley Railway and other works at a total cost of \$148,718 are hereby declared to be legal and valid.

**8.**—(1) The said corporation may pass a by-law or by-laws to borrow, and may borrow a sum not exceeding \$148,718 for the purposes mentioned in section 8 of this Act, and may issue debentures therefor from time to time for any period not exceeding twenty years from the date thereof and at such rate of interest not exceeding five per centum per annum as the said council may determine to provide moneys to defray the cost of the works mentioned in section 8 of this Act without submitting the by-law or by-laws to the electors of the said city for their assent.

[

Authority to  
issue deben-  
tures for  
unemploy-  
ment relief  
works—  
\$148,718.

(2) No by-law shall finally be passed under the provisions of subsection 1 until the same has first been approved by the Ontario Municipal Board.

[

Approval of  
Municipal  
Board  
requisite.

**9.** It shall not be necessary for the said corporation to observe, in respect of the by-laws mentioned in sections 2, 3 and 8 of this Act, the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Irregularities  
not to  
invalidate.

**10.** No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof, or the interest thereon.

Commence-  
ment of Act.

**11.** This Act, other than section 6, shall come into force on the day upon which it receives the Royal Assent. Section 6 shall come into force on the 1st day of July, 1935.



BILL

An Act respecting the City of London.

*1st Reading*

March 12th, 1935

*2nd Reading*

*3rd Reading*

MR. DUNCAN

(Reprinted as amended by the Private Bills  
Committee)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the City of London.

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MR. DUNCAN

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 27

1935

# BILL

An Act respecting the City of London.

*Preamble*

**W**HHEREAS the corporation of the city of London has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

*Short title.*

**1.** This Act may be cited as *The City of London Act, 1935.*

*Authority to issue debentures for cost of York Street bridge.*

**2.** The corporation of the city of London may pass a by-law to borrow, and may borrow, the sum of \$80,000 and may issue debentures therefor for any period not exceeding twenty years from the date thereof and at such rate of interest not exceeding five per centum per annum as the council of the said corporation may determine, to provide moneys to pay for the erection of a new bridge crossing the River Thames at York Street in the city of London, without submitting the by-law to the electors of the said city for their assent.

*Authority to issue debentures for grade separation purposes (London and Port Stanley Railway).*

**3.** The said corporation may pass a by-law, or by-laws, from time to time, to borrow, and may borrow, a sum not exceeding \$300,000 and may issue debentures therefor for any period not exceeding twenty years from the date thereof, and at such rate of interest not exceeding five per centum per annum as the council of the said corporation may determine to provide moneys to pay the amount required to be paid by the London and Port Stanley Railway Company for its share of grade separation costs in the said city of London, without submitting the by-law or by-laws to the electors of the said city for their assent, and the amount so borrowed shall, until repaid by the said company to the said corporation, be and remain a lien and charge upon the said railway and the franchise, tolls, revenues and other property of the said railway now owned or possessed or hereafter owned or possessed by the said company.

**4.** The council of the said corporation may, from time to time, pass by-laws for licensing, regulating and governing persons, firms and corporations, who sell or offer for sale ice in the city of London, for domestic purposes from a booth or booths, and for charging a fee not exceeding two dollars for each of such licenses, and for revoking such licenses, and the council of the said corporation may refuse any such license, and it shall not be bound to give any reason for refusing or revoking a license, and its action shall not be open to question or review by any court.

**5.** The provisions made by the last will and testament and codicils thereto of Elsie P. Williams, in her lifetime of the township of London in the county of Middlesex, widow, deceased (probate whereof was granted by the Surrogate Court of the county of Middlesex on the 10th day of October, 1934) for or for the benefit of the corporation of the city of London are legal and valid, and the said corporation is authorized to accept the provisions made for it by the said will and codicils and to carry out the terms thereof.

**6.—(1)** All sales of land within the city of London made prior to the 31st day of December, 1933, and purporting to have been made by the corporation of the city of London or its treasurer for arrears of taxes in respect to the land so sold, are hereby validated and confirmed, and all conveyances of land so sold executed by the mayor, treasurer and clerk of the said corporation, purporting to convey the said lands so sold to the purchaser thereof, or his heirs, or assigns, or to the said corporation, shall have the effect of vesting the land so sold in the purchaser, or his heirs or assigns, and his or their heirs and assigns, or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of the said sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the land was sold.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

**7.** The undertakings by the said corporation, for the relief of unemployment, of works consisting of the repairing of certain streets, construction of sewers, widening of pavements, repairing and improving sidewalks, improvement of parks, Western University improvements, wood cutting, completion

of Mill Creek fill on London and Port Stanley Railway and other works at a total cost of \$148,718 are hereby declared to be legal and valid.

**8.—(1)** The said corporation may pass a by-law or by-laws to borrow, and may borrow a sum not exceeding \$148,718 for the purposes mentioned in section 8 of this Act, and may issue debentures therefor from time to time for any period not exceeding twenty years from the date thereof and at such rate of interest not exceeding five per centum per annum as the said council may determine to provide moneys to defray the cost of the works mentioned in section 8 of this Act without submitting the by-law or by-laws to the electors of the said city for their assent.

Authority to issue debentures for unemployment relief works—\$148,718.

**(2)** No by-law shall finally be passed under the provisions of subsection 1 until the same has first been approved by the Ontario Municipal Board.

Approval of Municipal Board requisite.

**9.** It shall not be necessary for the said corporation to observe, in respect of the by-laws mentioned in sections 2, 3 and 8 of this Act, the formalities prescribed by *The Municipal Act* in relation to the passing of money by-laws.

Compliance with Rev. Stat., c. 233, not requisite.

**10.** No irregularity in the form of any of the debentures issued under the authority of this Act, or in any by-law authorizing the issue thereof, shall render the same invalid or be allowed as a defence to any action brought against the said corporation for the recovery of the amount thereof, or the interest thereon.

Irregularities not to invalidate.

**11.** This Act, other than section 6, shall come into force on the day upon which it receives the Royal Assent. Section 6 shall come into force on the 1st day of July, 1935.

Commencement of Act.







BILL

An Act respecting the City of London.

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*1st Reading*

March 12th, 1935

*2nd Reading*

April 3rd, 1935

*3rd Reading*

April 10th, 1935

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MR. DUNCAN

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the Town of Collingwood.

---

MR. SMITH

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(PRIVATE BILL)

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 28

1935

# BILL

## An Act respecting the Town of Collingwood

**Preamble.**

WHEREAS the corporation of the town of Collingwood has, by its petition, represented that it is desirable that a certain agreement, bearing date the 6th day of December, 1934, between the said Corporation and The Spiral Nail Company of Canada Limited to authorize the sale by the said corporation to the said company of the property formerly owned and operated by The Imperial Steel Corporation Limited in the said town be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

1. This Act may be cited as *The Town of Collingwood Act, 1935.*

**Agreements  
with Spiral  
Nail  
Company  
confirmed.**

2. The agreement dated the 6th day of December, 1934, between the corporation of the town of Collingwood and The Spiral Nail Company of Canada Limited as amended by a supplementary agreement between the said parties, dated the 11th day of February, 1935, which agreements are set forth in Schedule "A" hereto, are and each of them is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the said company, its successors and assigns.

**Commencement of Act.**

3. This Act shall come into force on the day upon which it receives the Royal Assent.



## SCHEDULE "A"

This Agreement made in triplicate the Sixth day of December, A.D. 1934.

BETWEEN:

THE MUNICIPAL CORPORATION OF THE TOWN OF COLLINGWOOD, in the Province of Ontario, herein-after called the "Corporation,"

of the first part;

—and—

THE SPIRAL NAIL COMPANY OF CANADA, LIMITED, a Joint Stock Company incorporated under the Laws of the Dominion of Canada, hereinafter called the "Company,"

of the second part;

(a) Whereas the Corporation is in possession of all and singular that certain parcel or tract of land and premises and of land now or lately partly covered with water, situate, lying and being in the Town of Collingwood in the County of Simcoe, and being composed of part of broken Lot Number 45 in the ninth concession of the Township of Nottawasaga, in the said County, and of part of water lot K-8 in front of the same, which said parcel may be better known and described as follows:

Commencing at a point on the east limit of High Street (being the east limit of the road allowance between concessions nine and ten of the Township of Nottawasaga, now within the limits of the said Town of Collingwood) distant eighteen chains, three links measured northerly along the said limit from a point where the said concession road intersects the north limit of Water Street, thence northerly along the said East limit of High Street twelve chains twenty-six links more or less to the south limit of Harbour Street, thence easterly along the said south limit of Harbour Street and its production easterly 18 chains 99 links more or less to the northeast angle of said water lot K-8 thence southerly along the east limit of said water lot 12 chains 26 links more or less to a point in the said last mentioned limit distant 18 chains 3 links measured northerly along said limit from the intersection of the north limit of Water Street with the west limit of Hickory Street, then westerly parallel to the south limit of Harbour Street and its continuation easterly 18 chains 99 links more or less to the place of beginning, together with all the rights of way and other rights, privileges and appurtenances enjoyed by the Corporation under and by virtue of the conveyance of the said lands dated 2nd December, 1920, and registered as number 14327, being all the lands described in registered number 14327.

(b) And whereas the said Corporation has been and is desirous of disposing of the said lands, including the plant and machinery set forth and described in Schedule "A" to this Agreement, with a view of having the said plant operative as hereinafter mentioned and set forth.

(c) And whereas the lands are subject to certain rights of the Imperial Oil Company, Limited, as set forth in a Conveyance between the Imperial Oil Company, Limited, and the Imperial Securities, Limited, dated the 1st day of December, 1920, and registered as Number 14326.

Now therefore this Agreement witnesseth:

1. (a) That the Corporation agrees to sell and the Company agrees to buy the above mentioned lands and premises, together with the said plant and equipment, set out in Schedule "A" hereto, subject to the rights still in existence as set forth in the said conveyance of the 1st day of December, 1920, and numbered 14326, upon the terms and to the reservations in paragraph 3 hereto, and conditions hereinafter set forth; the



consideration for the said conveyance to be the nominal sum of One Dollar (\$1.00) together with the premises and the covenants and agreements made by the said Company herein contained.

(b) Upon the request of the said Company, the said Corporation is to execute a conveyance to the said Company of the said lands, plant, and machinery, on or after the 1st day of June, 1935, and the said Company not being in default, subject to the said conditions above recited, and to the terms hereinafter set forth, but free from all other encumbrances or any charges, and the said conveyance is to be deposited in escrow at the branch of the Canadian Bank of Commerce in the Town of Collingwood, in the Province of Ontario.

2. That the said Company shall not remove or dispose of any of the plant machinery from the said premises, except for the purposes of repair, replacement or substitution, without the written consent of the Chairman of the Industries Committee of the said Town of Collingwood, for a period of five years from this date.

3. The said Corporation reserves the right to use by itself, its servants or employees, or its tenants or assigns, the docks situated on part of the said lands, in common with the Company or its assigns, together with the approaches to and necessary rights of way for ingress and egress from the said docks, for the purpose of use thereof, provided, however, this reservation shall not interfere with the necessary rights of way of the Company or its assigns, to use the said docks in connection with the business of the Company or its assigns. In case differences should arise as to the use of the said docks, the matters in dispute shall be settled by the Senior Judge of the County of Simcoe, or his appointee.

4. That the said Company may at any time within two years from the date of this Agreement pay unto the Branch of the Canadian Bank of Commerce at Collingwood, the sum of \$25,000.00, or so much thereof as may remain unpaid after credit for the amount expended for wages as set forth in paragraph five of this Agreement, and the same will be accepted in full payment of the said consideration, but subject to the terms, if any, of the covenants and agreements as to operation of the said plant as are hereinafter set forth.

Upon payment of the said sum of \$25,000.00 or the balance thereof, the said Company shall be entitled to receive a conveyance of the said property and to place the same on record in the proper Registry Office on that behalf.

5. That in the event of the said Company paying into the said Bank the said sum of \$25,000.00, or any balance thereof unpaid as aforesaid, the same shall be held by the said Bank to the credit of the said Corporation in a Trust fund, to be applied in the payment of wages as hereinafter set forth, and to be paid out from time to time by cheques, signed by the said Company and countersigned by the Mayor of the said Corporation, or some other person appointed by the Corporation for that purpose.

6. The monies so paid in to the said Bank, as aforesaid, shall be paid out and disbursed as follows:

(a) The sum of \$1,500.00 already expended by the Company, in the payment of wages in connection with the repairs to the said machinery and premises, shall be forthwith paid out to the said Company on its cheque or cheques upon the said trust account, countersigned as aforesaid.

(b) The remaining monies shall be paid out on the cheque or cheques of the said Company upon the said Trust Account, countersigned by the Mayor of the said Corporation, or some other person appointed by the Corporation for that purpose, upon the production of the weekly or the bi-weekly or the monthly payroll of the said Company, approved by the auditor of the said Corporation.

7. That the said Company will proceed forthwith to place the plant in proper repair for carrying on its work of manufacture of spiral nails



under the patents held by it, together with such other branches of metallic industries as it may see fit from time to time to engage in.

8. That the Conveyance of the said property shall contain a covenant on behalf of the said Company binding on itself and its successors and assigns, that the said Company or its assigns will operate the said plant for a term of five years, to be computed from the date hereof, and in event of any transfer being made of the said property it shall exact or obtain a like covenant from the purchasers thereof to and for the benefit of the said Corporation; the covenant of the said assigns to cover the operation of the said plant for the period until the First day of December, 1939, at a capacity average for the one year period immediately previous to the said assignment, sale or transfer, but not to be less than that set out in paragraph 10 hereof.

9. (a) The said Company, for itself, its successors, and assigns, covenants to and with the said Corporation that it will repair, operate and continue to operate the said plant or unit thereof, or a kindred product, or some other industry approved of by the Corporation, for a period of five years, computed from the First day of December, 1934, in so far as trade conditions will admit of such continuous operation, employing at least fifty workmen or employees, in connection with the operation of such industry.

(b) It is further understood and agreed that 90% of the said \$25,000.00 shall be paid to workmen or other employees resident in the Town of Collingwood, previous to the first day of December, 1934, excepting in cases where workman or workmen of the efficiency required by the Company cannot be obtained from those resident as aforesaid.

(c) And the said Company further covenants and agrees to and with the said Corporation that it will have the said plant, or unit thereof, placed in repair and ready for operation, or a kindred plant installed and ready for operation as aforesaid, on or before the First day of April, 1935.

10. It is further understood and agreed by and between the parties hereto, that in case the Company shall not commence operations on or before the First day of April, 1935, and further, in case the said Company commences to operate the said plant or unit thereof but does not continue to operate the same or a part thereof, then the said Corporation, on Sixty days' notice to the said Company, may terminate this Agreement, provided only that the Company has not become entitled to a transfer or conveyance as aforesaid on or before the expiry date of said notice.

11. (a) In case the said Company should decide to pay in to the Canadian Bank of Commerce, Collingwood Branch, the sum of \$25,000.00 as a Trust or guarantee fund, that it will carry out the conditions of the Agreement as to the operation of the plant or unit thereof, or other industry that may be established, for a period of five years, to be computed from the First day of December, 1934, and to pay out during the first two years of such operation of the plant the sum of at least \$25,000.00 in the aggregate to its workmen and other employees, exclusive of its executive officers, then upon such payment being made as aforesaid the said Corporation shall cause a conveyance of the said lands, plant, and machinery to be forthwith made to the said Company, in fee simple, the said conveyance to be free from all encumbrances, save and except such charges or limitations as are herein set forth.

(b) And it is further understood and agreed that the said conveyance shall contain a covenant by the said Company binding on itself and its successors and assigns, that it or its assigns will operate the said plant or unit thereof or other industry for a term of five years, to be computed from the First day of December, 1934, in the manner and to the capacity hereinbefore set forth.

14. The said Company shall have the right at any time hereafter to obtain a delivery over of the said transfer and conveyance held by the said Bank, upon paying the balance of the said sum of \$25,000.00, after



deducting from the said sum the aggregate amounts already paid to its workmen and other employees, exclusive of its executive officers, up to the date of the payment of the said balance to the said Corporation.

15. The Manager of the Canadian Bank of Commerce, Collingwood, is hereby authorized and directed to deliver the said conveyance forthwith upon payment by the Company or its assigns, of \$25,000.00 by deposit in the said Canadian Bank of Commerce, which the Manager shall receive, as agent for the Town, or upon payment by the said Company or its assigns of said \$25,000.00 in wages to workmen or other employees of the said plant, as aforesaid, within two years from the First day of December, 1934, or upon payment of the balance of the said sum of \$25,000.00 after charging the sum or sums paid to workmen or other employees as above provided.

16. It is further understood and agreed by and between the parties hereto that, after the 15th day of December, 1934, the Company or its assigns will insure and keep insured the buildings, plant and machinery, upon the said lands, for a sum of not less than \$25,000.00, aggregate, in a Company or Companies to be approved of by the said Corporation, loss, if any, in said Policy or Policies to be made payable to the said Corporation as its interest may appear, and renew said insurance until December, 1939.

17. This Agreement is subject to the provisions of the Bonus Limitations Act, being Chapter 234, Revised Statutes of Ontario, 1927.

Upon request of the Company, The Town of Collingwood will make an application to the Senior Judge of the County of Simcoe for his approval of the sale and conveyance contemplated by this agreement, and/or the Corporation, if so requested, will make an application, at the next Session of the Legislature for the Province of Ontario, for a Private Bill to confirm and ratify this Agreement and the conveyance to be made thereunder. The costs and expenses of and incidental to the said application to the Judge and/or of the application for a Private Bill to ratify this Agreement shall be paid by the Company or its assigns, provided, however, that the Company may, at its own option and at its own expense, make on its own behalf, an application to the said Judge for the Approval of the Agreement and/or an application on its own behalf, to the Legislature for a Private Bill to ratify the said Agreement and the conveyance to be made thereunder.

18. In this Agreement to operate the said plant means to operate a plant for the manufacture of Spiral Nails or such other manufacture of iron work as may be carried on by the Company and does not mean that the whole plant upon the said premises must be operated or carried on, and so long as fifty men are employed, as far as trade conditions warrant, in the said plant, the same shall be considered in operation.

19. It being made to appear that Percy B. Butterfield is the inventor of the patents now held by the Spiral Nail Company of Canada, Limited, and the carrying out of this Agreement largely depends upon his good will and ability to carry out the Agreement, be it therefore understood and agreed/by and between the/parties hereto that this agreement is entered into with the understanding that he, the said P. B. Butterfield shall be and continue in control of the said Spiral Nail Company during the continuance of this Agreement until December 1st, 1936.

This Agreement shall extend to and be binding upon and enure to the benefit of the successors and assigns of each of the parties hereto respectively.

In witness whereof the said Company, under the hands of its authorized officers, has hereunto affixed its Corporate Seal, and the Corporation of



the Town of Collingwood has affixed its Corporate Seal under the hands of its Mayor and Clerk, the day and year first above written.

Witness:	THE SPIRAL NAIL COMPANY OF CANADA, LIMITED.
(Signed) C. MCKENZIE.	(Signed) PERCY B. BUTTERFIELD, <i>President.</i>
Witness:	THE MUNICIPAL CORPORATION OF THE TOWN OF COLLINGWOOD.
(Signed) E. MOFFAT.	(Signed) G. HOWARD GRAY, <i>Secretary-Treasurer.</i>
	(Signed) DAVID WILLIAMS, <i>Mayor.</i>
	(Signed) W. H. WHIPPS, <i>Clerk.</i>

#### AGREEMENT

This Agreement made in triplicate the Eleventh day of February, A.D. 1935.

#### BETWEEN:

THE MUNICIPAL CORPORATION OF THE TOWN OF COLLINGWOOD, in the Province of Ontario, herein-after called the "Corporation,"  
of the first part;

—and—

THE SPIRAL NAIL COMPANY OF CANADA, LIMITED,  
a Joint Stock Company incorporated under the  
Laws of the Dominion of Canada, hereinafter  
called the "Company,"  
of the second part;

(a) Whereas an agreement was duly entered into between the parties hereto bearing the date the Sixth day of December, 1934, regarding the transfer of certain properties therein described, by the Corporation unto the Company.

(b) And whereas the said agreement contains certain clauses and paragraphs relating to the employment of men, and other purposes;

(c) And whereas it has been agreed between the parties hereto that the said agreement should be modified in certain parts as hereinafter mentioned and set forth;

Now this Agreement witnesseth that paragraph number two in the said agreement should be and the same is hereby vacated and set aside, and in lieu thereof is to be inserted paragraph number two as follows:

"2. That the said Company shall not remove for a period of five years from the Sixth day of December, 1934, or dispose of any of the plant and equipment set out in Schedule "A" hereto without the written consent of the Chairman of the Industrial Committee of the said Town of Collingwood."

And it is also further agreed that paragraph Nine (b) in the said agreement should be and the same is hereby vacated and set aside, and in lieu thereof is to be inserted paragraph Number Nine (b) as follows:



"9. (b) It is further understood and agreed that 90% of the said \$25,000.00 shall be paid to workmen or other employees resident in the Town of Collingwood, previous to the first day of December, 1934, save that credit on account of the sum of \$25,000.00 mentioned in the said agreement may be claimed by the Spiral Nail Company of Canada, Limited, in respect of any wages already paid or hereafter paid to any workman or workmen not resident in the Town of Collingwood previous to the First day of December, 1934, upon the Spiral Nail Company of Canada, Limited, proving to the satisfaction of the County Judge of the County of Simcoe, sitting as an arbitrator that a workman or a sufficient number of workmen of the efficiency required to carry on and do the work necessary for the proper completion of the products of the said Company could not be obtained at the time of employing said workman or workmen from those resident as aforesaid."

And it is further agreed that in all other respects the said agreement shall stand and be as duly executed by the said parties.

In witness whereof the said Company under the hands of its authorized officers has hereunto affixed its corporate seal, and the Corporation of the Town of Collingwood has affixed its Corporate Seal under the hands of its Mayor and Clerk, the day and year first written above.

WITNESS:

(Signed)  
CHAS. MCKENZIE.

(Signed)  
ELIZABETH MOFFAT.

THE SPIRAL NAIL COMPANY OF CANADA,  
LIMITED.

By (Signed) PERCY B. BUTTERFIELD,  
*President.*

(Signed) G. HOWARD GRAY,  
*Secretary-Treasurer.*

THE MUNICIPAL CORPORATION OF THE  
TOWN OF COLLINGWOOD.

By (Signed) J. P. DAVIS,  
*Mayor.*  
(Signed) W. H. WHIPPS,  
*Clerk.*



BILL

An Act respecting the Town of Collingwood.

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. SMITH

(*Private Bill*)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the Town of Collingwood.

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MR. SMITH

---

(PRIVATE BILL)

No. 28

1935

# BILL

## An Act respecting the Town of Collingwood

**Preamble.**

WHEREAS the corporation of the town of Collingwood has, by its petition, represented that it is desirable that a certain agreement, bearing date the 6th day of December, 1934, between the said Corporation and The Spiral Nail Company of Canada Limited to authorize the sale by the said corporation to the said company of the property formerly owned and operated by The Imperial Steel Corporation Limited in the said town be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

1. This Act may be cited as *The Town of Collingwood Act, 1935.*

Agreements  
with Spiral  
Nail  
Company  
confirmed.

2. Notwithstanding the provisions of *The Municipal Act* and *The Bonus Limitation Act*, the agreement dated the 6th day of December, 1934, between the corporation of the town of Collingwood and The Spiral Nail Company of Canada Limited, which agreement is set forth in Schedule "A" hereto, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the rate-payers thereof and upon the said company, its successors and assigns.



Authority  
to sell lands  
referred to  
in section 2.

3. Notwithstanding the provisions of said Acts the said corporation is hereby empowered to enter into any agreement for the sale of the property mentioned in the agreement set forth in schedule "A" hereto, or any part thereof, at such price and upon such terms and conditions as the council of the said corporation shall deem expedient, and any such agreement made or purporting to be made in pursuance of the power hereby conferred when entered into shall be legal, valid and binding upon the said corporation and the rate-



• payers thereof, and upon any person, firm or corporation being a party thereto and his, her or their heirs, executors, successors or assigns.

**Tax sales and conveyances confirmed.** **4.—(1)** All sales of land within the limits of the said town made prior to the 31st of December, 1932, which purport to have been made by the said corporation or by its treasurer for arrears of taxes in respect to the lands so sold, are hereby validated and confirmed and all conveyances of land so sold, executed by the mayor and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the lands so sold or conveyed or purporting to be sold or conveyed in the purchaser thereof or his heirs, or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

**Pending litigation not affected.** **(2)** Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.



**Commencement of Act.** **5.** This Act shall come into force on the day upon which it receives the Royal Assent.





## SCHEDULE "A"

This Agreement made in triplicate the Sixth day of December, 1934.

BETWEEN:

THE CORPORATION OF THE TOWN OF COLLINGWOOD,  
hereinafter called the "Corporation,"  
of the first part;

—and—

THE SPIRAL NAIL COMPANY OF CANADA, LIMITED,  
incorporated under the Laws of the Dominion of  
Canada, hereinafter called the "Company,"  
of the second part

Witnesseth:

1. (a) That the Corporation agrees to sell and the Company agrees to buy the lands and premises being:

All and singular that certain parcel or tract of land and premises and the land now or lately partly covered with water, situate, lying and being in the Town of Collingwood in the County of Simcoe, and being composed of part of broken lot Number 45 in the Ninth concession of the Township of Nottawasaga, in the said County, and of part of water lot K-8 in front of the same which said parcel may be better known and described as follows:

Commencing at a point on the east limit of High Street (being the east limit of the road allowance between concessions nine and ten of the Township of Nottawasaga, now within the limits of the said Town of Collingwood) distant eighteen chains, three links measured northerly along the said limit from a point where the said concession road intersects the north limit of Water Street, thence northerly along the said east limit of High Street twelve chains twenty-six links more or less to the south limit of Harbour Street, thence easterly along the said south limit of Harbour Street and its production easterly 18 chains 99 links more or less to the northeast angle of said water lot K-8, thence southerly along the east limit of said water lot 12 chains 26 links more or less to a point in the said last mentioned limit distant 18 chains 3 links measured northerly along said limit from the intersection of the north limit of Water Street with the west limit of Hickory Street, thence westerly parallel to the south limit of Harbour Street and its continuation easterly 18 chains 99 links more or less to the place of beginning, together with all the rights of way and other rights, privileges, and appurtenances enjoyed by the Corporation under and by virtue of the conveyance of the said lands dated 2nd December, 1920, and registered as Number 14327, being all the lands described in registered number 14327.

Together with the plant, machinery and equipment set out in Schedule "A" hereto, subject to the rights still in existence as set forth in the conveyance of the 1st day of December, 1920, and numbered 14326, upon the terms and subject to the reservations in paragraph 3 hereto and conditions hereinafter set forth; the consideration for the said conveyance to be the sum of One Dollar (\$1.00), together with the premises and the covenants and agreements made by the Company herein contained. The Company, for itself, its successors and assigns covenants to and with the said Corporation to pay in wages for operation of the said plant for a period of five years computed from the first day of June, 1935, the sum of \$12,500.00 per year (a total of \$62,500.00) and the Clerk or Auditor of the Corporation shall have the right to examine all books of the Company necessary to ascertain the amount so paid in wages. The Company further



agrees to pay all taxes imposed by the Corporation upon the property above set forth during the said period of five years as and when the same become due. Upon payment of wages and taxes by the Company as aforesaid, for the said period of five years, the Company shall receive a conveyance of the said lands, together with the plant and machinery and equipment set forth in Schedule "A" hereto in fee simple, free from encumbrance, save and except as set out in Paragraph 3 hereof, provided the Company shall be credited with \$1,500.00 already paid in wages.

2. That the Company shall not remove for a period of five years from the Sixth day of December, 1934, or dispose of any of the plant and equipment set out in Schedule "A" hereto without the written consent of the Chairman of the Industrial Committee of the said Town of Collingwood, or other person appointed by resolution of the Council of the Corporation.

3. The Corporation reserves the right to use by itself, its servants or employees, or its tenants or assigns, the docks situated on part of the said lands in common with the Company or its assigns, together with the approaches to and necessary rights of way for ingress and egress from the said docks, for the purpose of use thereof, provided however, this reservation shall not interfere with the necessary rights of way of the Company or its assigns to use the said docks, in connection with the business of the Company or its assigns. In case differences should arise as to the use of the said docks, the matters in dispute shall be settled by the Senior Judge of the County of Simcoe, or his appointee. The said lands are subject to certain rights of the Imperial Oil Company Limited, as set forth in a conveyance between the Imperial Oil Company Limited and the Imperial Securities Limited, dated the 1st day of December, 1920, and registered as number 14326.

4. That the Company will proceed forthwith to place the plant in proper repair for carrying on its work of manufacture of spiral nails under the patents held by it together with such other branches of metallic industries as it may see fit from time to time to engage in.

5. (a) The Company, for itself, its successors and assigns, covenants to and with the Corporation that it will repair, operate and continue to operate the said plant or unit thereof, or a kindred product, or some other industry approved of by the Corporation for a period of five years, computed from the first day of June, 1935, in so far as trade conditions will admit of such continuous operation.

(b) It is further understood and agreed that 90% of the said \$62,500.00 shall be paid to workmen or other employees, exclusive of executive officers, resident in the Town of Collingwood previous to the first day of December, 1934, save that credit on account of the sum of \$62,500.00 mentioned in the said agreement may be claimed by the Company, in respect of any wages already paid or hereafter paid to any workman or workmen not resident in the Town of Collingwood previous to the First day of December, 1934, upon the Company proving to the satisfaction of the County Judge of the County of Simcoe, sitting as an arbitrator, that a workman or a sufficient number of workmen of the efficiency required to carry on and do the work necessary for the proper completion of the products of the Company could not be obtained at the time of employing said workman or workmen from those resident as aforesaid.

(c) And the Company further covenants and agrees to and with the Corporation that it will have the said plant, or unit thereof, placed in repair and ready for operation, or a kindred plant installed and ready for operation as aforesaid, on or before the first day of June, 1935.

6. It is further understood and agreed by and between the parties hereto that, after the 15th day of December, 1934, the Company or its assigns will insure and keep insured the buildings, plant and machinery upon the said lands for a sum of not less than \$25,000.00 aggregate in a Company or Companies to be approved of by the Corporation, loss, if any, in said Policy or Policies, to be made payable to the Corporation as its interest may appear, and renew said insurance until December, 1939,



provided in the event of fire the insurance monies paid to the Corporation shall be used for rebuilding and replacement.

(a) And it is further understood and agreed by and between the parties hereto that the Corporation's interest in the said Policy or Policies shall be fixed or estimated at \$25,000.00 and in case of fire the monies paid by the Insurance Company or Companies to the said Corporation are not required for the purpose of rebuilding or replacement, then, in such event, such Insurance monies shall belong to the Corporation.

7. In this agreement to operate the said plant means to operate a plant for the manufacture of spiral nails or such other manufacture of iron work as may be carried on by the Company and does not mean that the whole plant upon the said premises must be operated or carried on.

8. It being made to appear that Percy B. Butterfield is the inventor of the patents now held by the Company and the carrying out of this Agreement largely depends upon his good will and ability to carry out the agreement, be it therefore understood and agreed by and between the parties hereto that this Agreement is entered into with the understanding that he, the said P. B. Butterfield, shall be and continue in control of the Company until December 1, 1936.

9. It is further understood and agreed by and between the parties hereto that, in case the Company shall not commence operations on or before the First day of October, 1935, and continue to operate in accordance with the terms of this Agreement, then, in such event, the Corporation may, on two months' written notice to the said Company, terminate this Agreement.

This Agreement shall extend to and be binding upon and enure to the benefit of the successors and assigns of each of the parties hereto respectively.

In witness whereof the Company, under the hands of its authorized officers, has hereunto affixed its Corporate Seal, and the Corporation has affixed its Corporate Seal under the hands of its Mayor and Clerk, the day and year first above written.

WITNESS:

C. MCKENZIE.

C. E. WILLISON.

THE SPIRAL NAIL COMPANY OF  
CANADA LIMITED.

PERCY B. BUTTERFIELD,  
*President.*

G. HOWARD GRAY,  
*Secretary.*

THE MUNICIPAL CORPORATION OF THE  
TOWN OF COLLINGWOOD.

J. P. DAVIS,  
*Mayor.*

W. H. WHIPPS,  
*Clerk.*



*Schedule "A"*

*Attached to and forming part of agreement dated December 6th, 1934.*

BETWEEN:

THE CORPORATION OF THE TOWN OF COLLINGWOOD,  
hereinafter called the "Corporation,"  
OF THE FIRST PART,  
—and—

THE SPIRAL NAIL COMPANY OF CANADA LIMITED,  
incorporated under the laws of the Dominion of  
Canada, hereinafter called the "Company,"  
OF THE SECOND PART.

Wire Mill—168' x 192', one storey.  
Galvanizing Room—24' x 192', one storey.  
Shipping Room—48' x 192', one storey.  
Boiler Room—48' x 40', one storey.  
Machine Shop—40' x 72', one storey.  
Stock Room—15' x 20', one storey.  
Cleaning Room—60' x 108', one storey.  
Annealing Room—48' x 90', one storey.

Saw-tooth roof over Main Wire Mill with wooden sash; remainder of roof is covered with paroid ready roofing. This affords fullest possible lighting for all operations.

Metal sash in all outside walls.

The interior of the whole plant is whitewashed.

There is a concrete floor, in good condition, throughout the whole plant.

The plant is heated by air through concrete ducts and tile pipe underneath the floor.

The plant is connected up with drains throughout; all downspouts being carried inside and connected to drains, emptying into Lake.

The water supply for factory use is pumped from a creek which crosses their property. They also have city water service installed.

There is a single-track Canadian National Railway siding on the west side of the plant.

The building has reinforced concrete lintels and sills throughout.

There is one sheet-steel storage tank 12 feet diameter by 24 feet high, used for oil. Not complete.

There is an oil house at the rear of the property of frame construction, 24 feet by 15 feet.

The yard at the rear is levelled with cinders.

At the rear of the plant there is 1 Air Compressor Tank and 1 Underground 10' x 12' Oil Tank.

There is an eight-roomed solid brick house located on property which is laid out and used for the Office Building. It is in first-class condition, being fully equipped with desks, etc., and a built-in vault. Equipment removed, but to be put back.

There is a 25' x 20' wood garage at the rear of the Office Building.



### CLEANING HOUSE EQUIPMENT

- 4—B. C. Fir Tubbs, 6 x 4, 6 feet deep, 9 bundle capacity.
- 1—Lime Tub, 6 x 4, 6 feet deep, 9 bundle capacity.
- 1—Air and Steam Revolving Crane, 1 ton capacity—dismantled.
- 1—Lime Mixing Tank.
- 98—100-lb. Carboys Muratic Acid.
- 1—Whitewash Machine for spraying buildings.
- 2—Baking Ovens, capacity 11 trucks of 9 bundles each.
- Fuel Oil Fired, one burner each.

### ANNEALING ROOM EQUIPMENT

- 1—10 x 12 Turner Vaughan & Taylor Annealing Furnace, oil or coal fired.
- 23—32" Sheet Steel Annealing Pots, capacity 4 coils, 150 lbs. each (sand sealed).
- 1—Blueing Furnace, 12 feet long, 2 oil burners, capacity 125 kegs in 9 hours.

### BLACKSMITH EQUIPMENT

- 1—Hand Forge.
- 1—Heavy Anvil.
- 1—2 x 2 Oil Tempering Furnace.
- 1—Furnace for Drawing Plates, 3 x 5, oil fired.
- 1—Air Gun for battering plates.
- 2—Small Drills.
- 1—Small Grinder.
- 1—Water Grindstone.
- 1—Duy Reamer.
- 1—Screw Press for straightening plates.
- 300 Steel Plates, 500 Cast Iron Plates, 3,500 Fire Brick.
- 40 feet  $1\frac{5}{8}$ " Line Shaft.

### WIRE DRAWING MILL

- 4—12 Block, 22" Turner Vaughan Taylor Type Draw Benches, manufactured by Imperial Wire Corporation. Chain connected to 125 H.P. motors. (Built, 1921). 4 pointers, each.
- 1—100 H.P.G.E. Motor connected to 1 bench.
- 2—125 H.P.C.C.W. Motors connected to 2 benches. (One bench has no motor. Above motors are 2200 v., 3 phase, 720 R.P.M. Reynolds Silent Chains Drive.) Swifts and Stands for 3 benches.
- 1—Fairbanks Scale—5,000-lb. set-in platform type.
- 4—12 Block 16" Draw Benches. Built by Imperial Wire Corporation. One bench only connected with motor.
- 1—15 H.P. Westinghouse Motor, 550 v., 3 phase, 1150 R.P.M. Direct connected to above bench with link belt chain drive. Swifts for 16" frame only.
- 1—Four Bobbin Automatic Winder, for 6" x 8" bobbins.
- 1—5 H.P. Westinghouse Motor.
- 2—Small Spring Machines.
- 1—Poultry Netting Machine for 12 ft. width of mesh, belt driven.
- 1—2-ton Morris Chain Block.
- 9—20 Blocks 8" dia. Turner Vaughan & Taylor Draw Benches. In 10 block sections (6 wood frames and 3 all-metal frames, sheet steel covered all over, belt driven).
- 1—Humphrey 6 Block 16" dia. Draw Bench. (Requires 30 H.P. motor.)
- 2—Band Iron Hooping Machines.
- 1—500-lb. Platform Scales.
- 80 feet  $2\frac{7}{16}$ " Line Shaft, complete with hangers and ring oil bearings.
- 1—15 H.P. Lincoln Motor.
- 4—4-wheel Platform Trucks, ball bearing.
- 35—4-wheel Wire Trucks, roller bearing.
- 22—4-wheel Cleaning Trucks.
- 1—Hand Truck.
- 1—Wheelbarrow.
- 1—Scrap Baling Machine, belt driven.
- 1—18-ft. Cut-off and Straightening Machine, capacity No. 4 to No. 19 wire.



### NAIL MILL

- 1—Nail Barbing Machine, belt driven.
- 1—Sawdust Whisker Remover.
- 9—4' x 2' Octagonal Rumblers, each chain driven from clutch on line shaft. All connected with suction pipes.
- 9—3" x 15" Belt-driven Rumblers.
- 300—18" x 9" x 5" Sheet Iron Nail Pans.
- 1—Double End 12" Emery Reel.

### NAIL MACHINES

All in good condition. (Belt Driven) Swifts for all.

- 2—6-penny Kokoma.
- 3—10-penny Tiffin and Kokomas Type Bastard Machines.
- 1—6-penny Tiffin.
- 2—10-penny Tiffin.
- 2—10-penny Kokomas.
- 1—60-penny Kokomas (6" to 8").
- 2—20-penny Kokomas.
- 5—10-penny Kokomas.
- 10—4-penny Tiffin.
- 2—4-penny Kokomas.
- 10—4-penny Tiffin and Kokomas Type Bastard Machines.
- 1—Base Staple Machine.
- All Machines set on fibre board in cement.
- 80— $2\frac{7}{16}$ " Line Shaft with ring oil bearings.
- 2—25 H.P. Westinghouse Motors, link belt connected to line shaft.
- 10—Barbed Wire Machines, complete with counters, baskets, etc., bolted on concrete floor.
- 70— $2\frac{7}{16}$ " Line Shaft with ring oil bearings.
- 1—15 H.P. Lincoln Motor.

### GALVANIZING PLANT

- 1—Brick Annealing Furnace, fuel oil fired, 8 burners, 35' x 6' x 8'.
- 30—22" Wood Swifts and Bases.
- 40—12" x 10" x 3" Cast Iron Dross Pans.
- 1—New 12" x 4' Semi-circular Oil-fired Galvanizing Pan, 4 Burners.
- 1—Iron Cooling Pan.
- 1—24 Block, 22" dia. Take-up Frame. This block was too light and is now partly re-built. They have the parts necessary to make this change. Dismantled.
- 1—Galvanizing Pan for Poultry Netting, oil fired, 2 burners.
- Take up equipment for same—chain driven with variable speed countershaft.
- 1—5 H.P. Westinghouse Motor.

### BOILER HOUSE

- 1—Collingwood Shipbuilding Co. Boiler, 150 H.P., 84 tube, stationary tubular type. Grates, etc., O.K. (Condemned.)
- 1—Small Feed Pump for Boiler.

### MACHINE SHOP

- 2—Small Oil Pumps (1 rotary 2" distributor 40-lb. pressure with by-pass return; 1 centrifugal  $1\frac{1}{2}$ " pump used for unloading tank cars).
- 1—12" x 12" Sullivan Air Compressor, belt driven.
- 1—Ingersoll-Rand Compressor, belt driven and connected to 15 H.P. (550 volt, 3 phase, 1170 R.P.M. motor).
- 1—Smart & Turner Water Pump, 5" x 5" belt driven.
- 1—Hot Air Fan, steam or belt driven (Stotesvant make).
- 3—3 x 6 Marble Switchboard Panels.
- 35 feet  $1\frac{15}{16}$ " Line Shaft, complete with bearings, etc.



1—15 H.P. Westinghouse Motor.  
1—3-spindle Petrie Tool Drill.  
2—14" Power Hack Saws.  
1—16" Goldie-McGregor Shaper.  
2—2-wheel 15" Grinders.  
1—Hamilton 18" Lathe.  
1—C.M.C. 20' Gap Lathe (will swing 40" dia.).  
1—1 Lights Drill (automatic feed).  
1—Fosdick Radio Drill, 3½ feet.  
1—24" Goldie-McGregor Shaper.  
1—Universal Milling Machine (No. 18 light).  
1—Surface Grinder.  
3—Heavy Bench Vises.  
2 tons Cold Rolled Steel and Shaped Key Stock.  
60 feet 1<sup>15</sup>/<sub>16</sub>" Line Shaft, complete with ring oil bearings, etc.  
1—15 H.P. Westinghouse Motor.  
1—36" Wood Band Saw (new, belt driven).  
Pulleys, belting, shafting, motors, etc., in good shape.





BILL

An Act respecting the Town of Collingwood.

*1st Reading*

March 19th, 1935

*2nd Reading*

*3rd Reading*

MR. SMITH

(Reprinted as amended by the Private Bills  
Committee)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the Town of Collingwood.

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MR. SMITH

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 28

1935

# BILL

## An Act respecting the Town of Collingwood

**Preamble.**

WHEREAS the corporation of the town of Collingwood has, by its petition, represented that it is desirable that a certain agreement, bearing date the 6th day of December, 1934, between the said Corporation and The Spiral Nail Company of Canada Limited to authorize the sale by the said corporation to the said company of the property formerly owned and operated by The Imperial Steel Corporation Limited in the said town be confirmed; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

1. This Act may be cited as *The Town of Collingwood Act, 1935.*

**Agreements with Spiral Nail Company confirmed.**

**Rev. Stat., c. 233, 234.**

2. Notwithstanding the provisions of *The Municipal Act* and *The Bonus Limitation Act*, the agreement dated the 6th day of December, 1934, between the corporation of the town of Collingwood and The Spiral Nail Company of Canada Limited, which agreement is set forth in Schedule "A" hereto, is hereby ratified and confirmed and declared to be legal, valid and binding upon the said corporation and the rate-payers thereof and upon the said company, its successors and assigns.

**Authority to sell lands inferred to re section 2.**

3. Notwithstanding the provisions of the said Acts the said corporation is hereby empowered to enter into any agreement for the sale of the property mentioned in the agreement set forth in schedule "A" hereto, or any part thereof, at such price and upon such terms and conditions as the council of the said corporation shall deem expedient, and any such agreement made or purporting to be made in pursuance of the power hereby conferred when entered into shall be legal, valid and binding upon the said corporation and the rate-

payers thereof, and upon any person, firm or corporation being a party thereto and his, her or their heirs, executors, successors or assigns.

**4.**—(1) All sales of land within the limits of the said town made prior to the 31st of December, 1932, which purport to have been made by the said corporation or by its treasurer for arrears of taxes in respect to the lands so sold, are hereby validated and confirmed and all conveyances of land so sold, executed by the mayor and treasurer of the said corporation purporting to convey the said lands so sold to the purchaser thereof or his heirs or assigns or to the said corporation shall have the effect of vesting the lands so sold or conveyed or purporting to be sold or conveyed in the purchaser thereof or his heirs, or assigns and his or their heirs and assigns or in the said corporation and its successors and assigns, as the case may be, in fee simple and clear of and free from all right, title and interest whatsoever of the owners thereof at the time of such sale, or their assigns, and all charges and encumbrances thereon and dower therein, except taxes accruing after those for non-payment of which the said lands were sold.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceedings now pending, but the same may be proceeded with and finally adjudicated upon in the same manner and as fully and effectually as if this Act had not been passed.

**5.** This Act shall come into force on the day upon which it receives the Royal Assent.

Commencement of Act.

## SCHEDULE "A"

This Agreement made in triplicate the Sixth day of December, 1934.

## BETWEEN:

THE CORPORATION OF THE TOWN OF COLLINGWOOD,  
hereinafter called the "Corporation," of the first part;

—and—

THE SPIRAL NAIL COMPANY OF CANADA, LIMITED,  
incorporated under the Laws of the Dominion of  
Canada, hereinafter called the "Company,"  
of the second part

Witnesseth:

1. (a) That the Corporation agrees to sell and the Company agrees to buy the lands and premises being:

All and singular that certain parcel or tract of land and premises and the land now or lately partly covered with water, situate, lying and being in the Town of Collingwood in the County of Simcoe, and being composed of part of broken lot Number 45 in the Ninth concession of the Township of Nottawasaga, in the said County, and of part of water lot K-8 in front of the same which said parcel may be better known and described as follows:

Commencing at a point on the east limit of High Street (being the east limit of the road allowance between concessions nine and ten of the Township of Nottawasaga, now within the limits of the said Town of Collingwood) distant eighteen chains, three links measured northerly along the said limit from a point where the said concession road intersects the north limit of Water Street, thence northerly along the said east limit of High Street twelve chains twenty-six links more or less to the south limit of Harbour Street, thence easterly along the said south limit of Harbour Street and its production easterly 18 chains 99 links more or less to the northeast angle of said water lot K-8, thence southerly along the east limit of said water lot 12 chains 26 links more or less to a point in the said last mentioned limit distant 18 chains 3 links measured northerly along said limit from the intersection of the north limit of Water Street with the west limit of Hickory Street, thence westerly parallel to the south limit of Harbour Street and its continuation easterly 18 chains 99 links more or less to the place of beginning, together with all the rights of way and other rights, privileges, and appurtenances enjoyed by the Corporation under and by virtue of the conveyance of the said lands dated 2nd December, 1920, and registered as Number 14327, being all the lands described in registered number 14327.

Together with the plant, machinery and equipment set out in Schedule "A" hereto, subject to the rights still in existence as set forth in the conveyance of the 1st day of December, 1920, and numbered 14326, upon the terms and subject to the reservations in paragraph 3 hereto and conditions hereinafter set forth; the consideration for the said conveyance to be the sum of One Dollar (\$1.00), together with the premises and the covenants and agreements made by the Company herein contained. The Company, for itself, its successors and assigns covenants to and with the said Corporation to pay in wages for operation of the said plant for a period of five years computed from the first day of June, 1935, the sum of \$12,500.00 per year (a total of \$62,500.00) and the Clerk or Auditor of the Corporation shall have the right to examine all books of the Company necessary to ascertain the amount so paid in wages. The Company further

agrees to pay all taxes imposed by the Corporation upon the property above set forth during the said period of five years as and when the same become due. Upon payment of wages and taxes by the Company as aforesaid, for the said period of five years, the Company shall receive a conveyance of the said lands, together with the plant and machinery and equipment set forth in Schedule "A" hereto in fee simple, free from encumbrance, save and except as set out in Paragraph 3 hereof, provided the Company shall be credited with \$1,500.00 already paid in wages.

2. That the Company shall not remove for a period of five years from the Sixth day of December, 1934, or dispose of any of the plant and equipment set out in Schedule "A" hereto without the written consent of the Chairman of the Industrial Committee of the said Town of Collingwood, or other person appointed by resolution of the Council of the Corporation.

3. The Corporation reserves the right to use by itself, its servants or employees, or its tenants or assigns, the docks situated on part of the said lands in common with the Company or its assigns, together with the approaches to and necessary rights of way for ingress and egress from the said docks, for the purpose of use thereof, provided however, this reservation shall not interfere with the necessary rights of way of the Company or its assigns to use the said docks, in connection with the business of the Company or its assigns. In case differences should arise as to the use of the said docks, the matters in dispute shall be settled by the Senior Judge of the County of Simcoe, or his appointee. The said lands are subject to certain rights of the Imperial Oil Company Limited, as set forth in a conveyance between the Imperial Oil Company Limited and the Imperial Securities Limited, dated the 1st day of December, 1920, and registered as number 14326.

4. That the Company will proceed forthwith to place the plant in proper repair for carrying on its work of manufacture of spiral nails under the patents held by it together with such other branches of metallic industries as it may see fit from time to time to engage in.

5. (a) The Company, for itself, its successors and assigns, covenants to and with the Corporation that it will repair, operate and continue to operate the said plant or unit thereof, or a kindred product, or some other industry approved of by the Corporation for a period of five years, computed from the first day of June, 1935, in so far as trade conditions will admit of such continuous operation.

(b) It is further understood and agreed that 90% of the said \$62,500.00 shall be paid to workmen or other employees, exclusive of executive officers, resident in the Town of Collingwood previous to the first day of December, 1934, save that credit on account of the sum of \$62,500.00 mentioned in the said agreement may be claimed by the Company, in respect of any wages already paid or hereafter paid to any workman or workmen not resident in the Town of Collingwood previous to the First day of December, 1934, upon the Company proving to the satisfaction of the County Judge of the County of Simcoe, sitting as an arbitrator, that a workman or a sufficient number of workmen of the efficiency required to carry on and do the work necessary for the proper completion of the products of the Company could not be obtained at the time of employing said workman or workmen from those resident as aforesaid.

(c) And the Company further covenants and agrees to and with the Corporation that it will have the said plant, or unit thereof, placed in repair and ready for operation, or a kindred plant installed and ready for operation as aforesaid, on or before the first day of June, 1935.

6. It is further understood and agreed by and between the parties hereto that, after the 15th day of December, 1934, the Company or its assigns will insure and keep insured the buildings, plant and machinery upon the said lands for a sum of not less than \$25,000.00 aggregate in a Company or Companies to be approved of by the Corporation, loss, if any, in said Policy or Policies, to be made payable to the Corporation as its interest may appear, and renew said insurance until December, 1939,

provided in the event of fire the insurance monies paid to the Corporation shall be used for rebuilding and replacement.

(a) And it is further understood and agreed by and between the parties hereto that the Corporation's interest in the said Policy or Policies shall be fixed or estimated at \$25,000.00 and in case of fire the monies paid by the Insurance Company or Companies to the said Corporation are not required for the purpose of rebuilding or replacement, then, in such event, such Insurance monies shall belong to the Corporation.

7. In this agreement to operate the said plant means to operate a plant for the manufacture of spiral nails or such other manufacture of iron work as may be carried on by the Company and does not mean that the whole plant upon the said premises must be operated or carried on.

8. It being made to appear that Percy B. Butterfield is the inventor of the patents now held by the Company and the carrying out of this Agreement largely depends upon his good will and ability to carry out the agreement, be it therefore understood and agreed by and between the parties hereto that this Agreement is entered into with the understanding that he, the said P. B. Butterfield, shall be and continue in control of the Company until December 1, 1936.

9. It is further understood and agreed by and between the parties hereto that, in case the Company shall not commence operations on or before the First day of October, 1935, and continue to operate in accordance with the terms of this Agreement, then, in such event, the Corporation may, on two months' written notice to the said Company, terminate this Agreement.

This Agreement shall extend to and be binding upon and enure to the benefit of the successors and assigns of each of the parties hereto respectively.

In witness whereof the Company, under the hands of its authorized officers, has hereunto affixed its Corporate Seal, and the Corporation has affixed its Corporate Seal under the hands of its Mayor and Clerk, the day and year first above written.

WITNESS:

C. MCKENZIE.

C. E. WILLISON.

THE SPIRAL NAIL COMPANY OF  
CANADA LIMITED.

PERCY B. BUTTERFIELD,  
*President.*

G. HOWARD GRAY,  
*Secretary.*

THE MUNICIPAL CORPORATION OF THE  
TOWN OF COLLINGWOOD.

J. P. DAVIS,  
*Mayor.*

W. H. WHIPPS,  
*Clerk.*

*Schedule "A"*

*Attached to and forming part of agreement dated December 6th, 1934.*

BETWEEN:

THE CORPORATION OF THE TOWN OF COLLINGWOOD,  
hereinafter called the "Corporation,"

OF THE FIRST PART,

—and—

THE SPIRAL NAIL COMPANY OF CANADA LIMITED,  
incorporated under the laws of the Dominion of  
Canada, hereinafter called the "Company,"

OF THE SECOND PART.

Wire Mill—168' x 192', one storey.  
 Galvanizing Room—24' x 192', one storey.  
 Shipping Room—48' x 192', one storey.  
 Boiler Room—48' x 40', one storey.  
 Machine Shop—40' x 72', one storey.  
 Stock Room—15' x 20', one storey.  
 Cleaning Room—60' x 108', one storey.  
 Annealing Room—48' x 90', one storey.

Saw-tooth roof over Main Wire Mill with wooden sash; remainder of roof is covered with paroid ready roofing. This affords fullest possible lighting for all operations.

Metal sash in all outside walls.

The interior of the whole plant is whitewashed.

There is a concrete floor, in good condition, throughout the whole plant.

The plant is heated by air through concrete ducts and tile pipe underneath the floor.

The plant is connected up with drains throughout; all downspouts being carried inside and connected to drains, emptying into Lake.

The water supply for factory use is pumped from a creek which crosses their property. They also have city water service installed.

There is a single-track Canadian National Railway siding on the west side of the plant.

The building has reinforced concrete lintels and sills throughout.

There is one sheet-steel storage tank 12 feet diameter by 24 feet high, used for oil. Not complete.

There is an oil house at the rear of the property of frame construction, 24 feet by 15 feet.

The yard at the rear is levelled with cinders.

At the rear of the plant there is 1 Air Compressor Tank and 1 Underground 10' x 12' Oil Tank.

There is an eight-roomed solid brick house located on property which is laid out and used for the Office Building. It is in first-class condition, being fully equipped with desks, etc., and a built-in vault. Equipment removed, but to be put back.

There is a 25' x 20' wood garage at the rear of the Office Building.

### CLEANING HOUSE EQUIPMENT

- 4—B. C. Fir Pubs, 6 x 4, 6 feet deep, 9 bundle capacity.
- 1—Lime Tub, 6 x 4, 6 feet deep, 9 bundle capacity.
- 1—Air and Steam Revolving Crane, 1 ton capacity—dismantled.
- 1—Lime Mixing Tank.
- 98—100-lb. Carboys Muriatic Acid.
- 1—Whitewash Machine for spraying buildings.
- 2—Baking Ovens, capacity 11 trucks of 9 bundles each.
- Fuel Oil Fired, one burner each.

### ANNEALING ROOM EQUIPMENT

- 1—10 x 12 Turner Vaughan & Taylor Annealing Furnace, oil or coal fired.
- 23—32" Sheet Steel Annealing Pots, capacity 4 coils, 150 lbs. each (sand sealed).
- 1—Blueing Furnace, 12 feet long, 2 oil burners, capacity 125 kegs in 9 hours.

### BLACKSMITH EQUIPMENT

- 1—Hand Forge.
- 1—Heavy Anvil.
- 1—2 x 2 Oil Tempering Furnace.
- 1—Furnace for Drawing Plates, 3 x 5, oil fired.
- 1—Air Gun for battering plates.
- 2—Small Drills.
- 1—Small Grinder.
- 1—Water Grindstone.
- 1—Duy Reamer.
- 1—Screw Press for straightening plates.
- 300 Steel Plates, 500 Cast Iron Plates, 3,500 Fire Brick.  
40 feet  $1\frac{5}{16}$ " Line Shaft.

### WIRE DRAWING MILL

- 4—12 Block, 22" Turner Vaughan Taylor Type Draw Benches, manufactured by Imperial Wire Corporation. Chain connected to 125 H.P. motors. (Built, 1921). 4 pointers, each.
- 1—100 H.P.G.E. Motor connected to 1 bench.
- 2—125 H.P.C.C.W. Motors connected to 2 benches. (One bench has no motor. Above motors are 2200 v., 3 phase, 720 R.P.M. Reynolds Silent Chains Drive.) Swifts and Stands for 3 benches.
- 1—Fairbanks Scale—5,000-lb. set-in platform type.
- 4—12 Block 16" Draw Benches. Built by Imperial Wire Corporation. One bench only connected with motor.
- 1—15 H.P. Westinghouse Motor, 550 v., 3 phase, 1150 R.P.M. Direct connected to above bench with link belt chain drive. Swifts for 16" frame only.
- 1—Four Bobbin Automatic Winder, for 6" x 8" bobbins.
- 1—5 H.P. Westinghouse Motor.
- 2—Small Spring Machines.
- 1—Poultry Netting Machine for 12 ft. width of mesh, belt driven.
- 1—2-ton Morris Chain Block.
- 9—20 Blocks 8" dia. Turner Vaughan & Taylor Draw Benches. In 10 block sections (6 wood frames and 3 all-metal frames, sheet steel covered all over, belt driven).
- 1—Humphrey 6 Block 16" dia. Draw Bench. (Requires 30 H.P. motor.)
- 2—Band Iron Hooping Machines.
- 1—500-lb. Platform Scales.
- 80 feet  $2\frac{7}{16}$ " Line Shaft, complete with hangers and ring oil bearings.
- 1—15 H.P. Lincoln Motor.
- 4—4-wheel Platform Trucks, ball bearing.
- 35—4-wheel Wire Trucks, roller bearing.
- 22—4-wheel Cleaning Trucks.
- 1—Hand Truck.
- 1—Wheelbarrow.
- 1—Scrap Baling Machine, belt driven.
- 1—18-ft. Cut-off and Straightening Machine, capacity No. 4 to No. 19 wire.

### NAIL MILL

- 1—Nail Barbing Machine, belt driven.  
 1—Sawdust Whisker Remover.  
 9—4' x 2' Octagonal Rumbler, each chain driven from clutch on line shaft. All connected with suction pipes.  
 9—3" x 15" Belt-driven Rumbler.  
 300—18" x 9" x 5" Sheet Iron Nail Pans.  
 1—Double End 12" Emery Reel.

### NAIL MACHINES

All in good condition. (Belt Driven) Swifts for all.

- 2—6-penny Kokoma.  
 3—10-penny Tiffin and Kokomas Type Bastard Machines.  
 1—6-penny Tiffin.  
 2—10-penny Tiffin.  
 2—10-penny Kokomas.  
 1—60-penny Kokomas (6" to 8").  
 2—20-penny Kokomas.  
 5—10-penny Kokomas.  
 10—4-penny Tiffin.  
 2—4-penny Kokomas.  
 10—4-penny Tiffin and Kokomas Type Bastard Machines.  
 1—Base Staple Machine.  
 All Machines set on fibre board in cement.  
 80—2 $\frac{7}{16}$ " Line Shaft with ring oil bearings.  
 2—25 H.P. Westinghouse Motors, link belt connected to line shaft.  
 10—Barbed Wire Machines, complete with counters, baskets, etc., bolted on concrete floor.  
 70—2 $\frac{7}{16}$ " Line Shaft with ring oil bearings.  
 1—15 H.P. Lincoln Motor.

### GALVANIZING PLANT

- 1—Brick Annealing Furnace, fuel oil fired, 8 burners, 35' x 6' x 8'.  
 30—22" Wood Swifts and Bases.  
 40—12" x 10" x 3" Cast Iron Dross Pans.  
 1—New 12" x 4' Semi-circular Oil-fired Galvanizing Pan, 4 Burners.  
 1—Iron Cooling Pan.  
 1—24 Block, 22" dia. Take-up Frame. This block was too light and is now partly re-built. They have the parts necessary to make this change. Dismantled.  
 1—Galvanizing Pan for Poultry Netting, oil fired, 2 burners.  
 Take up equipment for same—chain driven with variable speed countershaft.  
 1—5 H.P. Westinghouse Motor.

### BOILER HOUSE

- 1—Collingwood Shipbuilding Co. Boiler, 150 H.P., 84 tube, stationary tubular type. Grates, etc., O.K. (Condemned).  
 1—Small Feed Pump for Boiler.

### MACHINE SHOP

- 2—Small Oil Pumps (1 rotary 2" distributor 40-lb. pressure with by-pass return; 1 centrifugal 1 $\frac{1}{2}$ " pump used for unloading tank cars).  
 1—12" x 12" Sullivan Air Compressor, belt driven.  
 1—Ingersoll-Rand Compressor, belt driven and connected to 15 H.P. (550 volt, 3 phase, 1170 R.P.M. motor).  
 1—Smart & Turner Water Pump, 5" x 5" belt driven.  
 1—Hot Air Fan, steam or belt driven (Stutesvant make).  
 3—3 x 6 Marble Switchboard Panels.  
 35 feet 1 $\frac{1}{2}$ " Line Shaft, complete with bearings, etc.

- 1—15 H.P. Westinghouse Motor.
- 1—3-spindle Petrie Tool Drill.
- 2—14" Power Hack Saws.
- 1—16" Goldie-McGregor Shaper.
- 2—2-wheel 15" Grinders.
- 1—Hamilton 18" Lathe.
- 1—C.M.C. 20' Gap Lathe (will swing 40" dia.).
- 1—1 Lights Drill (automatic feed).
- 1—Fosdick Radio Drill, 3½ feet.
- 1—24" Goldie-McGregor Shaper.
- 1—Universal Milling Machine (No. 18 light).
- 1—Surface Grinder.
- 3—Heavy Bench Vises.
- 2 tons Cold Rolled Steel and Shaped Key Stock.
- 60 feet 1 $\frac{15}{16}$ " Line Shaft, complete with ring oil bearings, etc.
- 1—15 H.P. Westinghouse Motor.
- 1—36" Wood Band Saw (new, belt driven).
- Pulleys, belting, shafting, motors, etc., in good shape.



BILL

An Act respecting the Town of Collingwood.

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*1st Reading*

March 19th, 1935

*2nd Reading*

April 12th, 1935

*3rd Reading*

April 17th, 1935

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MR. SMITH

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the Township of East York.

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MR. HENRY

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(PRIVATE BILL)

No. 30

1935

# BILL

An Act respecting the Township of East York.

*Preamble.*

WHEREAS the corporation of the township of East York has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

*Short title.*

1. This Act may be cited as *The Township of East York Act, 1935.*

*Creation of Public School area.*

2.—(1) The council of the corporation of the township of East York may by by-law passed with the consent of the majority of the whole number of members of the council before the 1st day of July in any year, set apart the whole of the said township as a public school area and declare that thereafter the several public school sections included in the said township shall cease to exist and that the public school boards having jurisdiction therein shall be united with the collegiate institute board of the said township.

*Formation of Board of Education.*

(2) Save as hereinafter provided, from and after the 25th day of December in the year in which a by-law is passed under the provisions of subsection 1 the collegiate institute board of the said township and the public school boards shall be united and shall form one board and shall be a corporation by the name of "The Board of Education for the Township of East York" hereinafter referred to as "the board of education", and it shall have and possess all the powers and perform all the duties which by this or any other Act are conferred or imposed upon a public school board in an urban municipality or on a high school board or on a board of education, save that the provisions of section 109 of *The Public Schools Act* shall not apply to the said township.

*Rev. Stat., c. 323.*

*Composition of board.*

(3) The board of education shall consist of nine members to be elected or appointed as hereinafter provided:



(a) Five of the members shall be elected as hereinafter provided;

Rev. Stat.  
c. 326.,

- (b) Three of the members shall be appointed by the council of the county of York in accordance with the provisions of *The High Schools Act*;
- (c) One member shall be appointed annually by the East York Separate School Board at its first meeting in each year or so soon as may be thereafter.

Continua-  
tion of  
existing  
boards.

(4) All public school boards in the municipality and the said collegiate institute board shall remain in existence until the board of education has been elected or appointed and organized as hereinafter provided. The three members who have been appointed by the council of the said county to the said collegiate institute board shall be members of the board of education as county representatives during the unexpired portions of their respective terms of appointment to the same extent and effect as if they had been appointed by the council of the said county to the board of education for such respective times.

Vesting of  
school  
properties  
in the  
board.

(5) Upon organization of the board of education the members of the said collegiate institute board appointed by the council of the said township and the members of the said public school boards shall cease to hold office and all property real and personal, theretofore vested in the said collegiate institute board and in the said public school boards shall become vested in and become the property of the board of education, and it shall be responsible for and shall discharge all the debts, liabilities and obligations for which the said boards were liable.

Election by  
ballot.

(6) The elective members of the board of education shall be elected by ballot. The nomination and election of members of the board of education shall be held at the same time and place and by the same returning officer and conducted in the same manner as nearly as may be as nominations and elections for the municipal council, and the provisions of *The Municipal Act* respecting the manner of holding the elections and of receiving nominations for office, the resignation of persons nominated or elected, recounts, and declarations of qualification for office shall, *mutatis mutandis*, apply to the elections.

Rev. Stat.,  
c. 233.

Form of  
ballot.

(7) The clerk of the municipality shall prepare one set of ballot papers for each of the polling subdivisions in the township containing the names of candidates for members of the board of education, in the same form, *mutatis mutandis*, as those used for councillors and no ballot shall be delivered to



any person who is entered on the voters' list as a separate school supporter, or by reason of being the wife or husband of a separate school supporter.

**Qualifications of members of board.**

**Rev. Stat., c. 323.**

(8) Every ratepayer who resides in the said township and is a British subject, and of the full age of twenty-one years, and is not a separate school supporter or entered on the voters' list by reason of being the wife or husband of a person assessed as a separate school supporter and who is not disqualified by *The Public Schools Act* or any other Act may be elected a member of the board of education. Of the first elective members of the board of education, the three members elected by the highest number of votes shall hold office for two years and the two remaining members shall hold office for one year. In each year after the first election, an election shall be held to fill the place of the elective members whose terms of office shall have expired, and the members elected shall hold office for two years.

**Qualifications of voters.**

(9) Every person whose name appears upon the last revised voters' list as entitled to vote at municipal elections shall be entitled to vote at an election of members of the board of education excepting persons who are assessed as separate school supporters and persons who are entered on such voters' list by reason of being the wife or husband of a person assessed as a separate school supporter.

**First meeting.**

(10) The first meeting of the board of education in the first year of its existence shall be held on the first Wednesday in February at the hour of eight o'clock in the evening, at the East York Collegiate Institute. Unless a date and place for the first meeting has been decided upon by the former board in any year the board of education shall hold its first meeting in each succeeding year on the first Wednesday in February at the hour of eight o'clock in the evening at the usual place of meeting of the former board.

**Application of Rev. Stat., c. 327.**

(11) All the provisions of *The Boards of Education Act*, other than sections 13, 14, 15 and 16, which are not inconsistent with this section shall be read as part of this section and so far as such provisions are inconsistent with the provisions of this section they shall not apply to the board of education.

**Application of general school law**

**Rev. Stat., c. 323, 326; 1930, c. 64.**

**Rev. Stat., c. 332.**

(12) The provisions of *The Public Schools Act*, *The High Schools Act* and *The Vocational Education Act, 1930*, which are not inconsistent with *The Boards of Education Act* and with this section shall be read as part of this section, and the provisions of the said Acts and of *The School Attendance Act* shall apply to the said township and to the board of education



as if the said township were an urban municipality not separated from a county; provided that the provisions of clause *d* of section 88 of *The Public Schools Act* relating to rural schools shall continue to apply to the schools in the said township.

**Legislative grants.**

(13) Nothing in this Act shall affect or alter the basis of legislative grants for the support of public schools but the said grants shall continue to be paid as if the said township had continued to be divided into rural school sections.

**Grants not to be reduced.**

(14) No legislative or county grants or other amounts payable in respect of high schools, night classes, continuation schools and vocational schools in the said township shall be reduced by reason of any of the provisions of this Act.

**Exception of union school section areas.**

(15) None of the provisions of this section and no by-law passed under this section shall affect or include any part of the said township which at the time of passing of such by-law forms part of a union school section but on dissolution of any such union school section in accordance with the provisions of *The Public Schools Act* that part thereof within the said township shall become part of the public school area for the whole of the said township under the jurisdiction of the board of education and thereafter the provisions of this section shall apply.

**Establishment of Township Separate School Board.**

3.—(1) The whole of the said township shall, as of the 25th day of December next following the passing of a by-law under the provisions of subsection 1 of section 2 be united as one school section for separate school purposes and thereafter the boards of separate school trustees having jurisdiction in the existing school sections therein shall be dissolved, save as hereinafter provided.

**Present boards to continue until township board established.**

(2) All boards of trustees of separate schools in the then existing school sections in the said township shall remain in office until the separate school board for the said township shall have been elected and organized as hereinafter provided.

**Township board.**

(3) There shall be a board of separate school trustees for the said township which shall consist of five members and the said board, save as herein otherwise provided, shall have and may exercise and perform, without the assent of the electors, the like rights, powers and duties with respect to separate schools in the said township as in the case of a rural board.

**Name of board.**

(4) The board of separate school trustees for the said township shall be a corporation by the name of "East York Separate School Board" hereinafter referred to as "the separate school board."



- Elections.** (5) There shall be an election of the members of the separate school board for the year following the year in which the by-law referred to in subsection 1 is passed, and for each year thereafter, and sections 38 to 42 inclusive of *The Separate Schools Act* shall apply to such elections.
- Rev. Stat., c. 328.**
- Returning officer.** (6) A person appointed by the inspector shall be the returning officer at the first election and shall perform the duties of secretary in respect thereto.
- Terms of office.** (7) Of the trustees elected at the first election the three trustees first elected shall hold office for two years and the two remaining trustees shall hold office for one year.
- Annual election.** (8) After the first election an election shall be held in each year to fill the place of the trustees whose terms of office shall have expired and the trustees elected shall hold office for two years.
- Vesting of property.** (9) Upon the election and organization of the separate school board, all the property, real and personal, vested in the board of trustees of the Roman Catholic separate school for any existing school section shall be vested in and become the property of the separate school board.
- Discharge of liabilities.** (10) The separate school board shall be responsible for and discharge all liabilities and obligations of each of the boards of the Roman Catholic separate schools in each school section included in the said township, and the indebtedness of the board of trustees of the Roman Catholic separate school of any school section shall be provided for by a general rate levied upon all property liable to taxation for separate school purposes in the said township.
- Legislative grants.** (11) Notwithstanding the provisions of this section, legislative grants for the support of separate schools shall continue to be paid as if the said township had continued to be divided into rural separate school sections.
- 1925, c. 119, amended.** 4. Section 9 of *The Township of East York Act, 1925*, is amended by adding thereto the following subsection:
- Amalgamation of sewer and water areas.** (2) By-laws may be passed under the authority of this section amalgamating two or more or all sewer areas in the township into one sewer area or two or more or all water areas in the township into one water area or making the whole of the said township or any portion thereof one sewer area or making the whole of the said township or any portion thereof one water area.



Adjustment  
between  
public school  
sections and  
sewer or  
water areas.

**5.**—(1) All rights and claims between the respective parts of the said township comprising the several public school sections at the time of the establishment of the board of education under this Act or between the respective areas or parts of the said township brought into one area by a by-law passed under the authority of subsection 2 of section 9 of *The Township of East York Act, 1925*, as enacted by this Act shall be valued, adjusted and determined in an equitable manner by a referee to be appointed by The Ontario Municipal Board within three months after the time of the establishment of the board of education or of the passing of the said by-law as the case may be.

Jurisdiction  
of Municipal  
Board and  
Referee.

1932, c. 27.

(2) The Ontario Municipal Board and any referee appointed by it shall have and may exercise such jurisdiction and powers as may be necessary for the purpose of having all or any of the said rights and claims valued, adjusted and determined, and the provisions of *The Ontario Municipal Board Act, 1932*, shall be applicable.

Referee and  
his report.

(3) A referee appointed under this section shall proceed to hear and report to the said board upon such rights and claims as may have been referred to him subject to such orders and directions as the said board may from time to time make or issue, and he shall submit his report to the said board within three months after the time of his appointment or within such further time as the said board may allow, and a referee for his services shall be paid such fee as the said board may direct and allow.

Considera-  
tion of report  
by Mun-  
icipal Board.

(4) Upon the report of a referee being filed with the said board it shall forthwith take the same into its consideration and may hear such representations in respect thereto as it may see fit, and before adopting any such report the said board may remit the same to the referee for his further consideration.

Adoption of  
report by  
Municipal  
Board.

(5) The said board may, by its order, adopt, vary or amend the report of any referee appointed under this section, and the order of the said board adopting such report or varying or amending the same shall be final and conclusive and not open to question or appeal and the terms thereof shall be binding upon the said corporation and the ratepayers thereof or of any school section, or area affected thereby.

Imposition  
of special  
rates.

(6) The council of the said corporation shall impose and levy annually such special rates against the lands assessable therefor as may be directed in any order of the said board for the purpose of adjusting the rights and claims of any school section, or other area.



When  
by-laws  
relating to  
sewer or  
water areas  
to take  
effect.

(7) No by-law passed under the authority of subsection 2 of section 9 of *The Township of East York Act, 1925*, shall come into force or take effect until such time as the said board may by its order direct and no such order shall be issued until the said board has made an order under subsection 5 hereof.

Crescent  
School  
liable to  
taxation.

Rev. Stat.,  
c. 238.

**6.** Notwithstanding any exemption from taxation provided by *The Assessment Act* the lands and buildings commonly known as the Crescent School, which lands are more particularly described in Schedule "A" hereto, shall be liable to taxation in the said township from and after the 1st day of January, 1935.

Assessment  
of telephone  
companies.

**7.** The said township shall be deemed to be a village for the purposes of sections 14 and 15 of *The Assessment Act*.

Taxation  
exemption  
for new  
buildings.

**8.** The corporation of the said township may by by-law which, for its validity, shall not require the assent of the electors of the said township qualified to vote on money by-laws, exempt wholly or partially from municipal taxation, except taxation for school purposes and local improvements, new dwelling houses erected in the said township, provided that such exemption shall not exceed a period of two years nor continue after a house has once become occupied.

Commencement  
of Act.

**9.** This Act shall come into force on the day upon which it receives the Royal Assent.



## SCHEDULE "A".

All and singular that certain parcel or tract of land and premises situate, lying and being in the township of East York, in the county of York, being composed of part of Block A according to a plan filed in the registry office for the county of York as number 1227 and which said parcel is more particularly described as follows:

Commencing at a stake in the northerly limit of said Block A distant four hundred and ninety-one feet nine inches (491' 9") measured westerly thereon from the easterly limit of said Block A; thence south 1 degree 46 minutes east, three hundred and three feet (303') to an iron pipe, said point being the place of beginning; thence south 79 degrees 14 minutes west, seventy-seven feet (77') to an iron pipe; thence south 45 degrees 14 minutes west, one hundred and ninety feet (190') to an iron pipe; thence south 18 degrees 14 minutes west one hundred and four feet (104') to an iron pipe; thence south 49 degrees 14 minutes west ninety-six feet (96') to an iron pipe; thence north 83 degrees 46 minutes west ninety-six feet (96') to an iron pipe; thence south 53 degrees 14 minutes west seventy-four feet (74') to an iron pipe; thence south 33 degrees 20 minutes west, eighty feet one inch (80' 1") to an iron pipe; thence south 20 degrees 32 minutes east, two hundred and five feet (205') to an iron pipe; thence north 87 degrees 17 minutes west, three hundred and thirty-one feet ten inches (331' 10") to an iron fence post in the easterly limit of Dawes Road; thence southerly along fence for the easterly limit of Dawes Road, six hundred and twenty-two feet two inches (622' 2") to an iron pipe; thence north 74 degrees 29 minutes east, four hundred and fifteen feet three inches (415' 3") to an iron pipe; thence south 16 degrees 12 minutes east, one hundred and ninety-five feet six inches (195' 6") to an iron pipe in the easterly limit of a one foot (1') reserve as shown on registered plan 781, and being in the easterly production of the southerly limit of Prospect Avenue; thence south 33 degrees 34 minutes east, one hundred feet (100') to an iron pipe; thence south 75 degrees 32 minutes east, ninety-one feet (91') to an iron pipe; thence north 68 degrees 32 minutes east, three hundred and twenty-nine feet four inches (329' 4") to an iron pipe; thence north 33 degrees 36 minutes west, one hundred and seventy-seven feet (177') to an iron pipe; thence north 14 degrees 02 minutes west, fifty-five feet (55') to an iron pipe; thence north 8 degrees 58 minutes east, fifty-six feet (56') to an iron pipe; thence north 87 degrees 41 minutes east, thirty-four feet (34') to an iron pipe; thence north 56 degrees 32 minutes east, ninety feet (90') to an iron pipe; thence north 50 degrees 55 minutes east, ninety feet (90') to an iron pipe; thence north 63 degrees 47 minutes east, fifty feet (50') to an iron pipe; thence north 82 degrees 55 minutes east, forty feet (40') to an iron pipe; thence south 80 degrees 27 minutes east, one hundred and seventeen feet (117') to an iron pipe; thence on a curve to the left, having a radius of one hundred and twenty feet (120'), ninety-three feet four inches (93' 4") (cord measurement) to an iron pipe; thence on a curve to the right, having a radius of forty feet (40'), seventy-two feet three inches (72' 3") (cord measurement) to an iron pipe; thence south 85 degrees 25 minutes east, seventeen feet (17') to an iron pipe; thence south 14 degrees 41 minutes east, one hundred and seventy-six feet (176') to an iron pipe; thence south 84 degrees 32 minutes east, one hundred and seventy-nine feet (179') to an iron pipe; thence north 52 degrees 20 minutes east two hundred and three feet (203') to an iron pipe; thence north 13 degrees 46 minutes west, four hundred and nineteen feet seven inches (419' 7") to a point; thence south 83 degrees 05 minutes west, one hundred and eighty-four feet three inches (184' 3") to a point; thence north 50 degrees 47 minutes west, one hundred and twenty-nine feet nine inches (129' 9") to a curve; thence on a curve to the left, having a radius of two hundred and fifty feet (250'), one hundred and twenty-three feet eleven inches (123' 11") (cord measurement) to a point; thence north 79 degrees 29 minutes west, one hundred and four feet one and one-half inches (104' 1½") to a curve; thence on a curve to the right, having a radius of ninety-one feet six inches (91' 6"), thirty-nine feet (39') (cord measurement) to a point; thence north 54 degrees 51 minutes west, seventy-eight feet (78') to a curve; thence on a curve to the left, having a radius of sixty-three feet (63'), sixty-five feet one inch (65' 1") (cord measurement) to a point; thence south 62 degrees 57 minutes west, thirty feet (30') to a point; thence



north 57 degrees 03 minutes west, fifty feet (50') to a point; thence north 1 degree 46 minutes west, three hundred and forty-four feet nine inches (344' 9") to the place of beginning. Reserving a right of way at all times for all persons the owners of lands adjacent to the aforesaid parcel and now using the same or entitled to use the same, over, along and upon the road allowance and right of way through the above parcel as shown on blue print of plan attached to a trust agreement filed in the registry office for the registry division of the east and west ridings of the county of York in book R, township of East York, at 2.25 o'clock p.m. of the 16th day of June, A.D. 1933, as number 22804.



BILL

An Act respecting the Township of  
East York.

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. HENRY

(*Private Bill*)

No. 30

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the Township of East York.

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MR. HENRY

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(PRIVATE BILL)

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 30

1935

# BILL

## An Act respecting the Township of East York.

**Preamble.**

**W**HHEREAS the corporation of the township of East York has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

**1.** This Act may be cited as *The Township of East York Act, 1935.*

**Creation of  
Public  
School  
area.**

**2.**—(1) The council of the corporation of the township of East York may by by-law passed with the consent of the majority of the whole number of members of the council before the 1st day of July in any year, set apart the whole of the said township as a public school area and declare that thereafter the several public school sections included in the said township shall cease to exist and that the public school boards having jurisdiction therein shall be united with the collegiate institute board of the said township.

**Formation  
of Board of  
Education.**

(2) Save as hereinafter provided, from and after the 25th day of December in the year in which a by-law is passed under the provisions of subsection 1 the collegiate institute board of the said township and the public school boards shall be united and shall form one board and shall be a corporation by the name of "The Board of Education for the Township of East York" hereinafter referred to as "the board of education", and it shall have and possess all the powers and perform all the duties which by this or any other Act are conferred or imposed upon a public school board in an urban municipality or on a high school board or on a board of education, save that the provisions of section 109 of *The Public Schools Act* shall not apply to the said township.

**Rev. Stat.,  
c. 323.**

**Composition  
of board.**

(3) The board of education shall consist of nine members to be elected or appointed as hereinafter provided:



(a) Five of the members shall be elected as hereinafter provided;

Rev. Stat.  
c. 326..

- (b) Three of the members shall be appointed by the council of the county of York in accordance with the provisions of *The High Schools Act*;
- (c) One member shall be appointed annually by the East York Separate School Board at its first meeting in each year or so soon as may be thereafter.

Continua-  
tion of  
existing  
boards.

(4) All public school boards in the municipality and the said collegiate institute board shall remain in existence until the board of education has been elected or appointed and organized as hereinafter provided. The three members who have been appointed by the council of the said county to the said collegiate institute board shall be members of the board of education as county representatives during the unexpired portions of their respective terms of appointment to the same extent and effect as if they had been appointed by the council of the said county to the board of education for such respective times.

Vesting of  
school  
properties  
in the  
board.

(5) Upon organization of the board of education the members of the said collegiate institute board appointed by the council of the said township and the members of the said public school boards shall cease to hold office and all property real and personal, theretofore vested in the said collegiate institute board and in the said public school boards shall become vested in and become the property of the board of education, and it shall be responsible for and shall discharge all the debts, liabilities and obligations for which the said boards were liable.

Election by  
ballot.

Rev. Stat.,  
c. 233.

(6) The elective members of the board of education shall be elected by ballot. The nomination and election of members of the board of education shall be held at the same time and place and by the same returning officer and conducted in the same manner as nearly as may be as nominations and elections for the municipal council, and the provisions of *The Municipal Act* respecting the manner of holding the elections and of receiving nominations for office, the resignation of persons nominated or elected, recounts, and declarations of qualification for office shall, *mutatis mutandis*, apply to the elections.

Form of  
ballot.

(7) The clerk of the municipality shall prepare one set of ballot papers for each of the polling subdivisions in the township containing the names of candidates for members of the board of education, in the same form, *mutatis mutandis*, as those used for councillors and no ballot shall be delivered to



any person who is entered on the voters' list as a separate school supporter, or by reason of being the wife or husband of a separate school supporter.

**Qualifications of members of board.**

**Rev. Stat., c. 323.**

(8) Every ratepayer who resides in the said township and is a British subject, and of the full age of twenty-one years, and is not a separate school supporter or entered on the voters' list by reason of being the wife or husband of a person assessed as a separate school supporter and who is not disqualified by *The Public Schools Act* or any other Act may be elected a member of the board of education. Of the first elective members of the board of education, the three members elected by the highest number of votes shall hold office for two years and the two remaining members shall hold office for one year. In each year after the first election, an election shall be held to fill the place of the elective members whose terms of office shall have expired, and the members elected shall hold office for two years.

**Qualifications of voters.**

(9) Every person whose name appears upon the last revised voters' list as entitled to vote at municipal elections shall be entitled to vote at an election of members of the board of education excepting persons who are assessed as separate school supporters and persons who are entered on such voters' list by reason of being the wife or husband of a person assessed as a separate school supporter.

**First meeting.**

(10) The first meeting of the board of education in the first year of its existence shall be held on the first Wednesday in February at the hour of eight o'clock in the evening, at the East York Collegiate Institute. Unless a date and place for the first meeting has been decided upon by the former board in any year the board of education shall hold its first meeting in each succeeding year on the first Wednesday in February at the hour of eight o'clock in the evening at the usual place of meeting of the former board.

**Application of Rev. Stat., c. 327.**

(11) All the provisions of *The Boards of Education Act*, other than sections 13, 14, 15 and 16, which are not inconsistent with this section shall be read as part of this section and so far as such provisions are inconsistent with the provisions of this section they shall not apply to the board of education.

**Application of general school law**

**Rev. Stat., cc. 323, 326; 1930, c. 64.**

**Rev. Stat., c. 332.**

(12) The provisions of *The Public Schools Act*, *The High Schools Act* and *The Vocational Education Act*, 1930, which are not inconsistent with *The Boards of Education Act* and with this section shall be read as part of this section, and the provisions of the said Acts and of *The School Attendance Act* shall apply to the said township and to the board of education



as if the said township were an urban municipality not separated from a county; provided that the provisions of clause *d* of section 88 of *The Public Schools Act* relating to rural schools shall continue to apply to the schools in the said township.

**Legislative grants.**

(13) Nothing in this Act shall affect or alter the basis of legislative grants for the support of public schools but the said grants shall continue to be paid as if the said township had continued to be divided into rural school sections.

**Grants not to be reduced.**

(14) No legislative or county grants or other amounts payable in respect of high schools, night classes, continuation schools and vocational schools in the said township shall be reduced by reason of any of the provisions of this Act.

**Exception of union school section areas.**

(15) None of the provisions of this section and no by-law passed under this section shall affect or include any part of the said township which at the time of passing of such by-law forms part of a union school section but on dissolution of any such union school section in accordance with the provisions of *The Public Schools Act* that part thereof within the said township shall become part of the public school area for the whole of the said township under the jurisdiction of the board of education and thereafter the provisions of this section shall apply.

**Establishment of Township Separate School Board.**

**3.—(1)** The whole of the said township shall, as of the 25th day of December next following the passing of a by-law under the provisions of subsection 1 of section 2 be united as one school section for separate school purposes and thereafter the boards of separate school trustees having jurisdiction in the existing school sections therein shall be dissolved, save as hereinafter provided.

**Present boards to continue until township board established.**

(2) All boards of trustees of separate schools in the then existing school sections in the said township shall remain in office until the separate school board for the said township shall have been elected and organized as hereinafter provided.

**Township board.**

(3) There shall be a board of separate school trustees for the said township which shall consist of five members and the said board, save as herein otherwise provided, shall have and may exercise and perform, without the assent of the electors, the like rights, powers and duties with respect to separate schools in the said township as in the case of a rural board.

**Name of board.**

(4) The board of separate school trustees for the said township shall be a corporation by the name of "East York Separate School Board" hereinafter referred to as "the separate school board."



**Elections.**

(5) There shall be an election of the members of the separate school board for the year following the year in which the by-law referred to in subsection 1 is passed, and for each year thereafter, and sections 38 to 42 inclusive of *The Separate Schools Act* shall apply to such elections.

Rev. Stat.,  
c. 328.**Returning officer.**

(6) A person appointed by the inspector shall be the returning officer at the first election and shall perform the duties of secretary in respect thereto.

**Terms of office.**

(7) Of the trustees elected at the first election the three trustees first elected shall hold office for two years and the two remaining trustees shall hold office for one year.

**Annual election.**

(8) After the first election an election shall be held in each year to fill the place of the trustees whose terms of office shall have expired and the trustees elected shall hold office for two years.

**Vesting of property.**

(9) Upon the election and organization of the separate school board, all the property, real and personal, vested in the board of trustees of the Roman Catholic separate school for any existing school section shall be vested in and become the property of the separate school board.

**Discharge of liabilities.**

(10) The separate school board shall be responsible for and discharge all liabilities and obligations of each of the boards of the Roman Catholic separate schools in each school section included in the said township, and the indebtedness of the board of trustees of the Roman Catholic separate school of any school section shall be provided for by a general rate levied upon all property liable to taxation for separate school purposes in the said township.

**Legislative grants.**

(11) Notwithstanding the provisions of this section, legislative grants for the support of separate schools shall continue to be paid as if the said township had continued to be divided into rural separate school sections.

1925, c. 119,  
amended.

**4.** Section 9 of *The Township of East York Act, 1925*, is amended by adding thereto the following subsection:

**Amalgamation of sewer and water areas.**

(2) By-laws may be passed under the authority of this section amalgamating two or more or all sewer areas in the township into one sewer area or two or more or all water areas in the township into one water area or making the whole of the said township or any portion thereof one sewer area or making the whole of the said township or any portion thereof one water area.



**Adjustment between public school sections and sewer or water areas.** **5.**—(1) All rights and claims between the respective parts of the said township comprising the several public school sections at the time of the establishment of the board of education under this Act or between the respective areas, or parts of the said township brought into one area by a by-law passed under the authority of subsection 2 of section 9 of *The Township of East York Act, 1925*, as enacted by this Act shall be valued, adjusted and determined in an equitable manner by a referee to be appointed by The Ontario Municipal Board within three months after the time of the establishment of the board of education or of the passing of the said by-law as the case may be.

**Jurisdiction of Municipal Board and Referee.** **1932, c. 27.** (2) The Ontario Municipal Board and any referee appointed by it shall have and may exercise such jurisdiction and powers as may be necessary for the purpose of having all or any of the said rights and claims valued, adjusted and determined, and the provisions of *The Ontario Municipal Board Act, 1932*, shall be applicable.

**Referee and his report.** (3) A referee appointed under this section shall proceed to hear and report to the said board upon such rights and claims as may have been referred to him subject to such orders and directions as the said board may from time to time make or issue, and he shall submit his report to the said board within three months after the time of his appointment or within such further time as the said board may allow, and a referee for his services shall be paid such fee as the said board may direct and allow.

**Consideration of report by Municipal Board.** (4) Upon the report of a referee being filed with the said board it shall forthwith take the same into its consideration and may hear such representations in respect thereto as it may see fit, and before adopting any such report the said board may remit the same to the referee for his further consideration.

**Adoption of report by Municipal Board.** (5) The said board may, by its order, adopt, vary or amend the report of any referee appointed under this section, and the order of the said board adopting such report or varying or amending the same shall be final and conclusive and not open to question or appeal and the terms thereof shall be binding upon the said corporation and the ratepayers thereof or of any school section, or area affected thereby.

**Imposition of special rates.** (6) The council of the said corporation shall impose and levy annually such special rates against the lands assessable therefor as may be directed in any order of the said board for the purpose of adjusting the rights and claims of any school section, or other area.



When  
by-laws  
relating to  
sewer or  
water areas  
to take  
effect.

(7) No by-law passed under the authority of subsection 2 of section 9 of *The Township of East York Act, 1925*, shall come into force or take effect until such time as the said board may by its order direct and no such order shall be issued until the said board has made an order under subsection 5 hereof.



Approval by  
Minister of  
Education.

(8) No by-law passed under the authority of section 2 shall come into force or take effect until the Minister of Education for Ontario has first approved the same, and no order shall be made by the said board under subsection 5 until the said approval of the Minister of Education has been obtained.



Assessment  
of telephone  
companies.

**6.** The said township shall be deemed to be a village for the purposes of sections 14 and 15 of *The Assessment Act*.

Taxation  
exemption  
for new  
buildings.

**7.** The corporation of the said township may by by-law which, for its validity, shall not require the assent of the electors of the said township qualified to vote on money by-laws, exempt wholly or partially from municipal taxation, except taxation for school purposes and local improvements, new dwelling houses erected in the said township, provided that such exemption shall not exceed a period of two years nor continue after a house has once become occupied.

Commencement  
of Act.

**8.** This Act shall come into force on the day upon which it receives the Royal Assent.



BILL

An Act respecting the Township of  
East York.

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*1st Reading*

March 12th, 1935

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*2nd Reading*

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*3rd Reading*

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MR. HENRY

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(Reprinted as amended by the Private Bills  
Committee)

No. 30

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the Township of East York.

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MR. HENRY

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 30

1935

# BILL

## An Act respecting the Township of East York.

**Preamble.**

WHEREAS the corporation of the township of East York has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

**1.** This Act may be cited as *The Township of East York Act, 1935.*

**Creation of  
Public  
School  
area.**

**2.—(1)** The council of the corporation of the township of East York may by by-law passed with the consent of the majority of the whole number of members of the council before the 1st day of July in any year, set apart the whole of the said township as a public school area and declare that thereafter the several public school sections included in the said township shall cease to exist and that the public school boards having jurisdiction therein shall be united with the collegiate institute board of the said township.

**Formation  
of Board of  
Education.**

(2) Save as hereinafter provided, from and after the 25th day of December in the year in which a by-law is passed under the provisions of subsection 1 the collegiate institute board of the said township and the public school boards shall be united and shall form one board and shall be a corporation by the name of "The Board of Education for the Township of East York" hereinafter referred to as "the board of education", and it shall have and possess all the powers and perform all the duties which by this or any other Act are conferred or imposed upon a public school board in an urban municipality or on a high school board or on a board of education, save that the provisions of section 109 of *The Public Schools Act* shall not apply to the said township.

**Rev. Stat.,  
c. 323.**

**Composition  
of board.**

(3) The board of education shall consist of nine members to be elected or appointed as hereinafter provided:

- (a) Five of the members shall be elected as hereinafter provided;
  - (b) Three of the members shall be appointed by the <sup>Rev. Stat. c. 326.</sup> council of the county of York in accordance with the provisions of *The High Schools Act*;
  - (c) One member shall be appointed annually by the East York Separate School Board at its first meeting in each year or so soon as may be thereafter.
- (4) All public school boards in the municipality and the <sup>Continuation of existing boards.</sup> said collegiate institute board shall remain in existence until the board of education has been elected or appointed and organized as hereinafter provided. The three members who have been appointed by the council of the said county to the said collegiate institute board shall be members of the board of education as county representatives during the unexpired portions of their respective terms of appointment to the same extent and effect as if they had been appointed by the council of the said county to the board of education for such respective times.
- (5) Upon organization of the board of education the members of the said collegiate institute board appointed by the <sup>Vesting of school properties in the</sup> council of the said township and the members of the said board public school boards shall cease to hold office and all property real and personal, theretofore vested in the said collegiate institute board and in the said public school boards shall become vested in and become the property of the board of education, and it shall be responsible for and shall discharge all the debts, liabilities and obligations for which the said boards were liable.
- (6) The elective members of the board of education shall be <sup>Election by ballot.</sup> elected by ballot. The nomination and election of members of the board of education shall be held at the same time and place and by the same returning officer and conducted in the same manner as nearly as may be as nominations and elections for the municipal council, and the provisions of *The Municipal Act* respecting the manner of holding the elections and <sup>Rev. Stat. c. 233.</sup> receiving nominations for office, the resignation of persons nominated or elected, recounts, and declarations of qualification for office shall, *mutatis mutandis*, apply to the elections.
- (7) The clerk of the municipality shall prepare one set of <sup>Form of ballot.</sup> ballot papers for each of the polling subdivisions in the township containing the names of candidates for members of the board of education, in the same form, *mutatis mutandis*, as those used for councillors and no ballot shall be delivered to

any person who is entered on the voters' list as a separate school supporter, or by reason of being the wife or husband of a separate school supporter.

**Qualifications of members of board.**

**Rev. Stat., c. 323.**

(8) Every ratepayer who resides in the said township and is a British subject, and of the full age of twenty-one years, and is not a separate school supporter or entered on the voters' list by reason of being the wife or husband of a person assessed as a separate school supporter and who is not disqualified by *The Public Schools Act* or any other Act, may be elected a member of the board of education. Of the first elective members of the board of education, the three members elected by the highest number of votes shall hold office for two years and the two remaining members shall hold office for one year. In each year after the first election, an election shall be held to fill the place of the elective members whose terms of office shall have expired, and the members elected shall hold office for two years.

**Qualifications of voters.**

(9) Every person whose name appears upon the last revised voters' list as entitled to vote at municipal elections shall be entitled to vote at an election of members of the board of education excepting persons who are assessed as separate school supporters and persons who are entered on such voters' list by reason of being the wife or husband of a person assessed as a separate school supporter.

**First meeting.**

(10) The first meeting of the board of education in the first year of its existence shall be held on the first Wednesday in February at the hour of eight o'clock in the evening, at the East York Collegiate Institute. Unless a date and place for the first meeting has been decided upon by the former board in any year the board of education shall hold its first meeting in each succeeding year on the first Wednesday in February at the hour of eight o'clock in the evening at the usual place of meeting of the former board.

**Application of Rev. Stat., c. 327.**

(11) All the provisions of *The Boards of Education Act*, other than sections 13, 14, 15 and 16, which are not inconsistent with this section shall be read as part of this section and so far as such provisions are inconsistent with the provisions of this section they shall not apply to the board of education.

**Application of general school law**

**Rev. Stat., c. 323, 326; 1930, c. 64.**

**Rev. Stat., c. 332.**

(12) The provisions of *The Public Schools Act*, *The High Schools Act* and *The Vocational Education Act, 1930*, which are not inconsistent with *The Boards of Education Act* and with this section shall be read as part of this section, and the provisions of the said Acts and of *The School Attendance Act* shall apply to the said township and to the board of education

as if the said township were an urban municipality not separated from a county; provided that the provisions of clause *d* of section 88 of *The Public Schools Act* relating to rural schools shall continue to apply to the schools in the said township.

(13) Nothing in this Act shall affect or alter the basis of legislative grants for the support of public schools but the said grants shall continue to be paid as if the said township had continued to be divided into rural school sections.

(14) No legislative or county grants or other amounts payable in respect of high schools, night classes, continuation schools and vocational schools in the said township shall be reduced by reason of any of the provisions of this Act.

(15) None of the provisions of this section and no by-law passed under this section shall affect or include any part of the said township which at the time of passing of such by-law forms part of a union school section but on dissolution of any such union school section in accordance with the provisions of *The Public Schools Act* that part thereof within the said township shall become part of the public school area for the whole of the said township under the jurisdiction of the board of education and thereafter the provisions of this section shall apply.

**3.—(1)** The whole of the said township shall, as of the 25th day of December next following the passing of a by-law under the provisions of subsection 1 of section 2 be united as one school section for separate school purposes and thereafter the boards of separate school trustees having jurisdiction in the existing school sections therein shall be dissolved, save as hereinafter provided.

(2) All boards of trustees of separate schools in the then existing school sections in the said township shall remain in office until the separate school board for the said township shall have been elected and organized as hereinafter provided.

(3) There shall be a board of separate school trustees for the said township which shall consist of five members and the said board, save as herein otherwise provided, shall have and may exercise and perform, without the assent of the electors, the like rights, powers and duties with respect to separate schools in the said township as in the case of a rural board.

(4) The board of separate school trustees for the said township shall be a corporation by the name of "East York Separate School Board" hereinafter referred to as "the separate school board."

**Elections.**Rev. Stat.,  
c. 328.

(5) There shall be an election of the members of the separate school board for the year following the year in which the by-law referred to in subsection 1 is passed, and for each year thereafter, and sections 38 to 42 inclusive of *The Separate Schools Act* shall apply to such elections.

**Returning officer.**

(6) A person appointed by the inspector shall be the returning officer at the first election and shall perform the duties of secretary in respect thereto.

**Terms of office.**

(7) Of the trustees elected at the first election the three trustees first elected shall hold office for two years and the two remaining trustees shall hold office for one year.

**Annual election.**

(8) After the first election an election shall be held in each year to fill the place of the trustees whose terms of office shall have expired and the trustees elected shall hold office for two years.

**Vesting of property.**

(9) Upon the election and organization of the separate school board, all the property, real and personal, vested in the board of trustees of the Roman Catholic separate school for any existing school section shall be vested in and become the property of the separate school board.

**Discharge of liabilities.**

(10) The separate school board shall be responsible for and discharge all liabilities and obligations of each of the boards of the Roman Catholic separate schools in each school section included in the said township, and the indebtedness of the board of trustees of the Roman Catholic separate school of any school section shall be provided for by a general rate levied upon all property liable to taxation for separate school purposes in the said township.

**Legislative grants.**

(11) Notwithstanding the provisions of this section, legislative grants for the support of separate schools shall continue to be paid as if the said township had continued to be divided into rural separate school sections.

1925, c. 119.  
amended.

**4.** Section 9 of *The Township of East York Act, 1925*, is amended by adding thereto the following subsection:

**Amalgamation of sewer and water areas.**

(2) By-laws may be passed under the authority of this section amalgamating two or more or all sewer areas in the township into one sewer area or two or more or all water areas in the township into one water area or making the whole of the said township or any portion thereof one sewer area or making the whole of the said township or any portion thereof one water area.

**5.**—(1) All rights and claims between the respective parts of the said township comprising the several public school sections at the time of the establishment of the board of education under this Act or between the respective areas or parts of the said township brought into one area by a by-law passed under the authority of subsection 2 of section 9 of *The Township of East York Act, 1925*, as enacted by this Act shall be valued, adjusted and determined in an equitable manner by a referee to be appointed by The Ontario Municipal Board within three months after the time of the establishment of the board of education or of the passing of the said by-law as the case may be.

(2) The Ontario Municipal Board and any referee appointed by it shall have and may exercise such jurisdiction and powers as may be necessary for the purpose of having all or any of the said rights and claims valued, adjusted and determined, and the provisions of *The Ontario Municipal Board Act, 1932*, 1932, c. 27. shall be applicable.

(3) A referee appointed under this section shall proceed to hear and report to the said board upon such rights and claims as may have been referred to him subject to such orders and directions as the said board may from time to time make or issue, and he shall submit his report to the said board within three months after the time of his appointment or within such further time as the said board may allow, and a referee for his services shall be paid such fee as the said board may direct and allow.

(4) Upon the report of a referee being filed with the said board it shall forthwith take the same into its consideration and may hear such representations in respect thereto as it may see fit, and before adopting any such report the said board may remit the same to the referee for his further consideration.

(5) The said board may, by its order, adopt, vary or amend the report of any referee appointed under this section, and the order of the said board adopting such report or varying or amending the same shall be final and conclusive and not open to question or appeal and the terms thereof shall be binding upon the said corporation and the ratepayers thereof or of any school section, or area affected thereby.

(6) The council of the said corporation shall impose and levy annually such special rates against the lands assessable therefor as may be directed in any order of the said board for the purpose of adjusting the rights and claims of any school section, or other area.

**When by-laws relating to sewer or water areas to take effect.** (7) No by-law passed under the authority of subsection 2 of section 9 of *The Township of East York Act, 1925*, shall come into force or take effect until such time as the said board may by its order direct and no such order shall be issued until the said board has made an order under subsection 5 hereof.

**Approval by Minister of Education.** (8) No by-law passed under the authority of section 2 shall come into force or take effect until the Minister of Education for Ontario has first approved the same, and no order shall be made by the said board under subsection 5 until the said approval of the Minister of Education has been obtained.

**Assessment of telephone companies.** **6.** The said township shall be deemed to be a village for the purposes of sections 14 and 15 of *The Assessment Act*.

**Taxation exemption for new buildings.** **7.** The corporation of the said township may by by-law which, for its validity, shall not require the assent of the electors of the said township qualified to vote on money by-laws, exempt wholly or partially from municipal taxation, except taxation for school purposes and local improvements, new dwelling houses erected in the said township, provided that such exemption shall not exceed a period of two years nor continue after a house has once become occupied.

**Commencement of Act.** **8.** This Act shall come into force on the day upon which it receives the Royal Assent.







BILL

An Act respecting the Township of  
East York.

---

*1st Reading*

March 12th, 1935

*2nd Reading*

April 12th, 1935

*3rd Reading*

April 17th, 1935

---

MR. HENRY

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the City of Windsor.

---

MR. CLARK

---

(PRIVATE BILL)

No. 31

1935

# BILL

## An Act respecting the City of Windsor.

Preamble.

**W**HEREAS the corporation of the city of Windsor has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Windsor Act, 1935*.

Tax prepayment discounts.

2. The council of the corporation may by by-law authorize the treasurer or collector to receive in any year payments on account of taxes for that year in advance of the day that may be fixed by by-law for the payment of any instalment of such taxes as provided in *The Assessment Act*, and notwithstanding the provisions of the said Act, allow a discount, on any taxes so paid in advance, at a rate not exceeding six per centum per annum, provided however, that, where the total percentage discount allowed on any taxes does not exceed two per centum, the rate may be in excess of six per centum per annum.

Tax instalment discounts.

3. Notwithstanding the provisions of *The Assessment Act* the council of the corporation may pass by-laws allowing discounts on all taxes paid on the due dates and a graduated scale of discounts where the taxes are payable in instalments, but so as not in the aggregate to exceed five per centum.

By-laws Nos. 4191 and 4193 confirmed.

4. By-laws numbers 4191 and 4193 of the corporation respecting the collection of taxes are hereby validated and confirmed.

Confirmation of sales of lands registered for tax arrears.

1932, c. 95.

5.—(1) All sales of land situate within the municipality acquired by the corporation by the registration of tax arrears certificates under the provisions of *The City of Windsor Act, 1932*, and made by the corporation and its committee of supervisors prior to the 20th day of February, 1935, are confirmed and declared to be legal, valid and binding, and all



conveyances of land so sold executed under the seal of the corporation by the mayor and clerk of the same and by the chairman and secretary of the said supervisors, purporting to convey the said lands to the purchaser thereof or his heirs or assigns are also confirmed and declared to be legal, valid and binding and shall have the effect of vesting the lands so sold, and the same are hereby vested in the purchaser or his heirs or assigns and in his heirs and assigns, in fee simple or otherwise, according to the nature of the estate or interest sold, free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of the registration of the tax arrears certificate, or their assigns, and of all charges, liens and encumbrances thereon of every nature and kind and dower therein, except such charges, liens and encumbrances thereon as the corporation may have reserved in connection with the sale or may otherwise possess, enjoy or be entitled to by virtue of any general or special Act.

Pending litigation  
not affected.

(2) Nothing in this section contained shall affect or prejudice the rights of any person under any action, litigation or other proceeding now pending, but subject to the provisions of this Act the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this section had not been passed.

Irregularities  
in forms of  
tax arrears  
certificates,  
etc., not to  
invalidate  
same.

**6.** Every certificate, notice or other form which is in substantial conformity with the form thereof required by the provisions of sections 3, 4 or 5 of *The City of Windsor Act, 1932*, shall not be open to objection on the ground that it is not in the form required by the provisions of the said Act.

Commence-  
ment of Act.

**7.** This Act shall come into force on the day upon which it receives the Royal Assent.



## BY-LAW No. 4191

A By-law to provide for the payment of taxes by instalments, to fix the date of payment, to provide discounts for payments in advance and to provide for the issue of prepayment tax receipts.

Passed the 24th day of December, 1934.

WHEREAS it is deemed expedient to require that the payment of taxes be made at fixed times in each year, to provide for discounts for prepayment thereof and for the issue of prepayment tax receipts;

NOW THEREFORE the Corporation of the City of Windsor by the Council thereof enacts as follows:

1. In this By-law,

- (a) "Council" shall mean the Municipal Council of the Corporation of the City of Windsor.
- (b) "Collector" shall mean the tax collector or collectors of the Corporation of the City of Windsor or any of them.
- (c) "Treasurer" shall mean the treasurer of the Corporation of the City of Windsor.

2. Subject to any special provisions in any statute or by-law to the contrary with respect to the collection of business taxes, in each and every year the payment of taxes including local improvement assessments, sewer rents and rates, and all other rents or rates payable as taxes shall be paid into the office of the Collector in five instalments on or before the 1st days of April, June, August, October and December.

3. The Treasurer at any time in any year may receive payments on account of taxes payable in such year and may allow the following discounts on amounts paid on or before the following dates:

January	15	$1\frac{1}{2}\%$
February	1	$1\%$
March	1	$\frac{1}{2}\%$

4. All taxes levied in any year shall be deemed to be due and payable on the 1st days of April, June, August, October and December in such year and from and after the said dates such taxes remaining unpaid shall be deemed to be in arrears and the Collector or Treasurer shall enforce payment of the same in the manner provided by the *Assessment Act*, and for that purpose the said Collector or Treasurer shall be vested with all the powers given to them, or either of them by law.

5. At any time in each year after the first day of January but before the second day of March, the Treasurer may issue prepayment tax receipts for the payment of taxes or any part thereof payable in such year, provided however, such receipts shall be issued in multiples of Five Dollars (\$5.00) but no receipt shall be issued for less than Ten Dollars (\$10.00) and such receipts shall be in such form as the Treasurer may determine.

6. Such prepayment tax receipts may be sold to taxpayers at the discount provided by Section 3 of this by-law.

7. The said receipts shall be issued only to taxpayers and the name of the purchasing taxpayer shall be entered upon the receipts purchased by him; the receipts shall not be negotiable, and shall be redeemable on or before the 1st day of April of the year of the issue of the same at face value by the Treasurer or Collector for the payment of taxes payable on the 1st days of April, June, August, October and December of the year of issue of the same.

8. The purchaser of a prepayment tax receipt shall present the same to the Collector for redemption on or before the 1st day of April of the year of issue.



9. Where all the taxes, the first instalment or any subsequent instalment of taxes is paid on or before the 1st day of April in any year a further discount from the amount of the said instalment shall be allowed at the rate of 5%; on the second and any subsequent instalments of taxes paid on or before the 1st day of June a discount of 4% shall be allowed; on the third and any subsequent instalments of taxes paid on or before the 1st day of August a discount of 3% shall be allowed; on the fourth and the subsequent instalment of taxes paid on or before the 1st day of October a discount of 2% shall be allowed; and on the fifth instalment of taxes paid on or before the 1st day of December a discount of 1% shall be allowed.

10. That any by-laws or resolutions to the contrary notwithstanding the Collector return the tax roll for 1934 on March 1, 1935, and that he return the tax roll for 1935 and following years on January 2 in the year following the year of the roll, and from and after the return of the said rolls the Treasurer shall add to all taxes remaining unpaid on the said rolls interest at the rate of  $\frac{1}{2}$  of 1% per month.

11. The Council may by by-law passed by vote of not less than three-fourths ( $\frac{3}{4}$ ) of the members of the Council, amend or repeal this By-law at any time, provided, however, that no receipt shall be subject to any amendment not in force at the time of its issue.

12. That By-law No. 4162 be and the same is hereby repealed.

(Sgd.) DAVID A. CROLL,  
*Mayor.*

(SEAL)

(Sgd.) M. A. DICKINSON,  
*Clerk.*

#### BY-LAW NO. 4193

A By-law to amend By-law No. 4191.

Passed the 15th day of January, 1935.

WHEREAS it is deemed expedient to amend the provisions of By-law No. 4191 respecting the payment of taxes;

NOW THEREFORE the Corporation of the City of Windsor by the Council thereof enacts as follows:

1. That section 4 of By-law No. 4191, passed on the 24th day of December, 1934, be repealed and the following substituted in lieu thereof:

"All taxes levied in any year shall be deemed to be due on the 2nd day of January in the year in which the same are levied and shall be payable in equal instalments on the first days of April, June, August, October and December in such year, and from and after the said dates such taxes then due and payable and remaining unpaid shall be deemed to be in arrears and in default of payment of any instalment by the day named for payment thereof, all subsequent instalments shall become payable and shall likewise be deemed to be in arrears from and after the said days, and the Collector or Treasurer shall enforce payment of the same in the manner provided by the *Assessment Act*, and for that purpose the said Collector and Treasurer shall be vested with all the powers given to them or either of them by law."

(Sgd.) GEO. BENNETT,  
*Mayor.*

(SEAL)

(Sgd.) M. A. DICKINSON,  
*Clerk.*







BILL

An Act respecting the City of Windsor.

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. CLARK

(*Private Bill*)

No. 31

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the City of Windsor.

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MR. CLARK

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 31

1935

# BILL

## An Act respecting the City of Windsor.

Preamble.

**W**HEREAS the corporation of the city of Windsor has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

1. This Act may be cited as *The City of Windsor Act, 1935*.

Tax prepay-  
ment dis-  
counts.

2. The council of the corporation may by by-law authorize the treasurer or collector to receive in any year payments on account of taxes for that year in advance of the day that may be fixed by by-law for the payment of any instalment of such taxes as provided in *The Assessment Act*, and notwithstanding the provisions of the said Act, allow a discount, on any taxes so paid in advance, at a rate not exceeding six per centum per annum, provided however, that, where the total percentage discount allowed on any taxes does not exceed two per centum, the rate may be in excess of six per centum per annum.

Rev. Stat.,  
c. 238.

3. Notwithstanding the provisions of *The Assessment Act* the council of the corporation may pass by-laws allowing discounts on all taxes paid on the due dates and a graduated scale of discounts where the taxes are payable in instalments, but so as not in the aggregate to exceed five per centum.

Tax instal-  
ment dis-  
counts.

4. By-laws numbers 4191 and 4193 of the corporation respecting the collection of taxes are hereby validated and confirmed.

By-laws  
Nos. 4191  
and 4193  
confirmed.

5.—(1) All sales of land situate within the municipality acquired by the corporation by the registration of tax arrears certificates under the provisions of *The City of Windsor Act, 1932*, and made by the corporation and its committee of supervisors prior to the 20th day of February, 1935, are confirmed and declared to be legal, valid and binding, and all

Confirmation  
of sales  
of lands  
registered  
for tax  
arrears.  
1932, c. 95.

conveyances of land so sold executed under the seal of the corporation by the mayor and clerk of the same and by the chairman and secretary of the said supervisors, purporting to convey the said lands to the purchaser thereof or his heirs or assigns are also confirmed and declared to be legal, valid and binding and shall have the effect of vesting the lands so sold, and the same are hereby vested in the purchaser or his heirs or assigns and in his heirs and assigns, in fee simple or otherwise, according to the nature of the estate or interest sold, free and clear of and from all right, title and interest whatsoever of the owners thereof at the time of the registration of the tax arrears certificate, or their assigns, and of all charges, liens and encumbrances thereon of every nature and kind and dower therein, except such charges, liens and encumbrances thereon as the corporation may have reserved in connection with the sale or may otherwise possess, enjoy or be entitled to by virtue of any general or special Act.

(2) Nothing in this section contained shall affect or Pending litigation not affected. prejudice the rights of any person under any action, litigation or other proceeding now pending, but subject to the provisions of this Act the same may be proceeded with and finally adjudicated upon in the same manner and to the same extent as if this section had not been passed.

**6.** Every certificate, notice or other form which is in substantial conformity with the form thereof required by the provisions of sections 3, 4 or 5 of *The City of Windsor Act, 1932*, shall not be open to objection on the ground that it is not in the form required by the provisions of the said Act. Irregularities in forms of tax arrears certificates, etc., not to invalidate same.

**7.** This Act shall come into force on the day upon which it receives the Royal Assent. Commencement of Act.

BILL

An Act respecting the City of Windsor.

*1st Reading*

March 12th, 1935

*2nd Reading*

March 29th, 1935

*3rd Reading*

April 3rd, 1935

MR. CLARK

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the Village of Portsmouth.

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MR. FULFORD

---

(PRIVATE BILL)

No. 32

1935

# BILL

## An Act respecting the Village of Portsmouth.

Preamble.

**W**HEREAS the Portsmouth Public School Board has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Village of Portsmouth Act, 1935.*

**2.** The lands described in Schedule A hereto, now forming part of the city of Kingston, shall for taxation for school purposes, and for such purposes only, be deemed to form part of the village of Portsmouth, and the council of the said village may impose and levy and collect taxes for school purposes in respect of the said lands as upon other lands in the said village, and the said lands shall be exempt from any taxation for school purposes imposed and levied by the council of the corporation of the said city of Kingston.

Commencement of Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.



## SCHEDULE "A"

Lots Fourteen, Fifteen and Sixteen in the First Concession of the Township of Kingston, in the County of Frontenac and Province of Ontario, and the water lots in front thereof, said water lots being more particularly described as follows: Firstly, commencing at a point where the line of the easterly face of the dock of the Kingston Elevator Company produced, intersects the southerly limit of Concession One, thence southerly, South Nineteen Degrees, Thirty Minutes East, along the line of the face of the said dock to a point where said line produced southerly would intersect the extension of the westerly production of the harbour line of the City of Kingston, thence westerly at a right angle to said line, one thousand feet, thence northerly and parallel to said line to a point in the southerly limit of Concession One, thence easterly along the southerly limit of Concession One to the place of beginning. Together with all the land covered in the grant from the Crown to the City of Kingston, dated the 9th day of November, 1929, and recorded the 18th day of November, 1929, in book L324, folio 135, under the hand of F. Costello, Deputy Provincial Registrar; and Secondly, commencing at a point where the line of the easterly face of the dock of the Kingston Elevator Company produced intersects the Southerly limit of Concession One of said township, the said Easterly face of dock being the Easterly limit of the land annexed to the City of Kingston by The City of Kingston Act, 1930, thence South Nineteen Degrees Thirty Minutes East along the line of the face of the said dock to a point where the said line produced southerly would intersect the extension of the westerly production of the harbour line of the said city; thence easterly along the said westerly production of the said harbor line to a point where the said harbor line intersects the production southerly of the line between Lots Numbers 16 and 17 in the First Concession of the said township; thence northerly along the said line between said Lots 16 and 17 to the southerly limit of said first concession; thence westerly along the southerly limit of said First Concession to the place of beginning.







BILL

An Act respecting the Village of  
Portsmouth.

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. FULFORD

(*Private Bill*)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the Trust Settlement of Charles Granville Heward.

---

MR. STRACHAN

---

(PRIVATE BILL)

No. 33

1935

# BILL

## An Act respecting the Trust Settlement of Charles Granville Heward.

*Preamble.*

WHEREAS James William Carick and Thomas Mansell Weatherhead, both of the city of Toronto, Barristers-at-Law, trustees under a certain trust settlement dated the 24th day of September, 1921, made by Charles Granville Heward of the said city of Toronto, Esquire, have by their petition prayed for an Act amending the provisions of the said trust settlement and enabling the trustees in their discretion to raise and pay to or apply for the benefit of the said Charles Granville Heward out of the trust capital further sums up to but not exceeding \$7,000; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

*Short title.*

**1.** This Act may be cited as *The Heward Trust Settlement Act, 1935.*

*Trust settlement varied and trustees authorized to advance moneys to the Settlor.*

**2.** The trustees for the time being of the said mentioned trust settlement may and are hereby authorized in their discretion to raise and pay to or apply for the benefit of the said Charles Granville Heward out of the trust capital further sums up to but not exceeding \$7,000, in addition to any capital moneys which they may have heretofore lawfully raised and paid out of the said trust capital to or for the benefit of the said Charles Granville Heward, and the provisions contained in the second paragraph on the eighth page of the said trust settlement are and the same are hereby amended by striking out the word "Five" in the tenth line of the said paragraph and inserting in lieu thereof the word "Twelve."

*Commencement of Act.*

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.



BILL.

An Act respecting the Trust Settlement of  
Charles Granville Heward.

---

*1st Reading*

*2nd Reading*

*3rd Reading*

---

MR. STRACHAN

---

(*Private Bill*)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

---

## BILL

An Act respecting the Trust Settlement of Charles Granville Heward.

---

MR. STRACHAN

---

(PRIVATE BILL)

---

TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 33

1935

# BILL

## An Act respecting the Trust Settlement of Charles Granville Heward.

**Preamble.**

WHEREAS James William Carrick and Thomas Mansell Weatherhead, both of the city of Toronto, Barristers-at-Law, trustees under a certain trust settlement dated the 24th day of September, 1921, made by Charles Granville Heward of the said city of Toronto, Esquire, have by their petition prayed for an Act amending the provisions of the said trust settlement and enabling the trustees in their discretion to raise and pay to or apply for the benefit of the said Charles Granville Heward out of the trust capital further sums up to but not exceeding \$7,000; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

1. This Act may be cited as *The Heward Trust Settlement Act, 1935.*

Trust  
settlement  
varied and  
trustees  
authorized to  
advance  
moneys to  
the Settlor.

2. The trustees for the time being of the said mentioned trust settlement may and are hereby authorized in their discretion to raise and pay to or apply for the benefit of the said Charles Granville Heward out of the trust capital further sums up to but not exceeding \$7,000, in addition to any capital moneys which they may have heretofore lawfully raised and paid out of the said trust capital to or for the benefit of the said Charles Granville Heward, and the provisions contained in the second paragraph on the eighth page of the said trust settlement are hereby amended by striking out the word "Five" in the tenth line of the said paragraph and inserting in lieu thereof the word "Twelve."

Commencement of Act.

3. This Act shall come into force on the day upon which it receives the Royal Assent.



BILL

An Act respecting the Trust Settlement of  
Charles Granville Heward.

---

---

*1st Reading*

March 12th, 1935

*2nd Reading*

*3rd Reading*

MR. STRACHAN

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(Reprinted as amended by the Private Bills  
Committee)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

---

## BILL

An Act respecting the Trust Settlement of Charles Granville Heward.

---

MR. STRACHAN

---

TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 33

1935

# BILL

## An Act respecting the Trust Settlement of Charles Granville Heward.

Preamble.

**W**HEREAS James William Carick and Thomas Mansell Weatherhead, both of the city of Toronto, Barristers-at-Law, trustees under a certain trust settlement dated the 24th day of September, 1921, made by Charles Granville Heward of the said city of Toronto, Esquire, have by their petition prayed for an Act amending the provisions of the said trust settlement and enabling the trustees in their discretion to raise and pay to or apply for the benefit of the said Charles Granville Heward out of the trust capital further sums up to but not exceeding \$7,000; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Short title.

**1.** This Act may be cited as *The Heward Trust Settlement Act, 1935.*

Trust  
settlement  
varied and  
trustees  
authorized to  
advance  
moneys to  
the settlor.

**2.** The trustees for the time being of the said mentioned trust settlement may and are hereby authorized in their discretion to raise and pay to or apply for the benefit of the said Charles Granville Heward out of the trust capital further sums up to but not exceeding \$7,000, in addition to any capital moneys which they may have heretofore lawfully raised and paid out of the said trust capital to or for the benefit of the said Charles Granville Heward, and the provisions contained in the second paragraph on the eighth page of the said trust settlement are hereby amended by striking out the word "Five" in the tenth line of the said paragraph and inserting in lieu thereof the word "Twelve."

Commencement  
of Act.

**3.** This Act shall come into force on the day upon which it receives the Royal Assent.



BILL

An Act respecting the Trust Settlement of  
Charles Granville Heward.

---

*1st Reading*

March 12th, 1935

*2nd Reading*

April 12th, 1935

*3rd Reading*

April 17th, 1935

---

MR. STRACHAN

---

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

---

## BILL

An Act respecting the Township of King and the Township  
of West Gwillimbury.

---

MR. BAKER

---

(PRIVATE BILL)

No. 34

1935

# BILL

## An Act respecting the Township of King and the Township of West Gwillimbury.

*Preamble.*

WHEREAS the corporation of the township of King and the township of West Gwillimbury have by their petition prayed for special Legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

*Short title.*

1. This Act may be cited as *The Townships of King and West Gwillimbury Act, 1935.*

*Minutes of settlement of action ratified.*

2. The minutes of settlement of the action in the Supreme Court, wherein Holland Marsh Syndicate was plaintiff and D. J. MacDonald, treasurer of the county of York, and the corporation of the township of King, in the county of York, and W. W. Gardhouse, treasurer of the county of York, since May, 1933, and S. R. Manson, were defendants, as set out in Schedule "A," are ratified and confirmed and declared to be legal, valid and binding upon the respective parties to the action.

*Council authorized to complete settlement.*

3. The council of the corporation of the township of King may pass all necessary by-laws to carry out and complete the said settlement without submitting the same to a vote of the ratepayers.

*Issue of debentures.*

4. The corporation of the township of King may provide by by-law for the issue or issues of debentures payable within twenty-two years from their date, for the sum of \$26,596.93 for the purposes mentioned in the said settlement.

*Assessment and special rate.*

5. For the payment of the debt and interest represented by the debentures to be issued under the authority of section 4 there shall be raised annually by the corporation of the township of King, during the currency of the debentures a sum sufficient to pay the said debenture debt and interest



when and as the same shall respectively become due and such sums shall be levied and collected by special rates over and above all other rates on the following property, being all and singular those certain parcels or tracts of lands and premises situate, lying and being in the township of King, in the county of York, and more particularly described as follows: Lot 8, first concession, new survey, except that part outside drainage canal; lot 9, first concession, new survey, except that part outside of drainage canal; lot 7, second concession, new survey; lot 8, second concession, new survey; lot 9, second concession, new survey; lot 10, second concession, new survey; lot 11, second concession, new survey; lot 13, second concession, new survey; the north thirty-five acres of lot 14, second concession, new survey; lots 11, 12 and 13, third concession, new survey; lot 14, third concession, new survey; that part of the west half of lot 7 inside of drainage canal, third concession, old survey; that part of lot 8, inside of drainage canal, third concession, old survey, and lot 16, third concession, old survey, all in the township of King, in the county of York, and such levy shall be apportioned on said lots as set out in Schedule "A" referred to in section 2 thereof.

Vesting of  
land on  
default of  
payment of  
1935 taxes.

**6.** Upon default being made in the payment of taxes on any of the following lands: Lot 8, first concession, new survey, except that part outside drainage canal; lot 9, first concession, new survey, except that part outside of drainage canal; lot 7, second concession, new survey; lot 8, second concession, new survey; lot 9, second concession, new survey; lot 10, second concession, new survey; lot 11, second concession, new survey; lot 13, second concession, new survey; the north thirty-five acres of lot 14, second concession, new survey; lots 11, 12 and 13, third concession, new survey; lot 14, third concession, new survey; that part of the west half of lot 7 inside of drainage canal, third concession, old survey; that part of lot 8 inside of drainage canal, third concession, old survey, and lot 16, third concession, old survey, all in the township of King, in the county of York, for the year 1935, during the year 1935, such lot or lots for which the taxes for the year 1935 have not been paid during the year 1935 shall vest in the corporation of the township of King, or its nominee or nominees, as designated by by-law of the said township, free from all encumbrances or claims whatsoever. Provided, however, that the council of the corporation of the township of King may exempt all or any part of the lands described herein from this provision, upon such terms as may be agreed on by the said council.

Disposition  
of money.

**7.** The money raised from the sale of debentures shall be used as provided in the agreement set forth in Schedule "A".

Minutes of  
settlement of  
action  
ratified.

**8.** The minutes of settlement of the action in the Supreme Court, wherein Holland Marsh Syndicate was



plaintiff and D. H. Coleman, treasurer of the county of Simcoe, and the corporation of the township of West Gwillimbury, were defendants, as set out in Schedule "B," are ratified and confirmed and declared to be legal, valid and binding upon the respective parties to the action.

Council authorized to complete settlement.

**9.** The council of the corporation of the township of West Gwillimbury may pass all necessary by-laws to carry out and complete the said settlement without submitting the same to a vote of the ratepayers.

Issue of debentures.

**10.** The corporation of the township of West Gwillimbury may provide by by-law for the issue or issues of debentures payable within twenty-one years from their date for the sum of \$15,914 for the purposes mentioned in Schedule "B".

Assessment and special rate.

**11.** For the payment of the debt and interest represented by the debentures to be issued under the authority of section 10, there shall be raised annually by the corporation of the township of West Gwillimbury, during the currency of the debentures, a sum sufficient to pay the said debenture debt and interest, when and as the same shall respectively become due, and such sums shall be levied and collected by special rates over and above all other rates on all the following property, being all and singular those certain parcels or tracts of land and premises, situate, lying and being in the township of West Gwillimbury, in the county of Simcoe, and more particularly described as follows: The whole of township lots 4, 5, 6 and 7 in the first concession; the whole of township lot 6 (except that part patented to H. J. Bolton, October 23rd, 1852) and lots 9, 10 and 11 in the second concession; the whole of lot 11 (except 11½ acres patented by metes and bounds to John McFarland) and lots 14 and A in the third concession; the south half of township lot number 14 and that portion of lot 15 particularly described in deed registered in the registry office for the county of Simcoe on the 22nd day of May, 1925, as number 7071, and the whole of lot 16 in the fourth concession; the whole of township lots 16 and 17 in the fifth concession, and such levy shall be apportioned on said lands as set out in Schedule "B" referred to in section 8 thereof.

Vesting of land on default of payment of 1935 taxes.

**12.** Upon default being made in the payment of taxes on any of the following lands: The whole of township lots 4, 5, 6 and 7 in the first concession; the whole of township lot 6 (except that part patented to H. J. Bolton, October 23rd, 1852) and lots 9, 10 and 11 in the second concession; the whole of lot 11 (except 11½ acres patented by metes and bounds to John McFarland) and lots 14 and A in the third concession; the south half of township lot 14 and that portion of lot 15 particularly described in deed registered in the registry office for the county of Simcoe, on the 22nd day of May, 1925, as



number 7071, and the whole of lot 16 in the fourth concession; the whole of township lots 16 and 17 in the fifth concession, all in the township of West Gwillimbury, in the county of Simcoe, for the year 1935, during the year 1935, such lot or lots for which the taxes for the year 1935 have not been paid during the year 1935, shall vest in the corporation of the township of West Gwillimbury, or its nominee or nominees as designated by by-law of the said township, free from all encumbrances or claims whatsoever. Provided, however, that the council of the corporation of the township of West Gwillimbury may exempt all or any part of the lands herein from this provision upon such terms as may be agreed on by the said council.

*Disposition  
of money.*

**13.** The money raised from the sale of debentures shall be used as provided in the agreement set forth in Schedule "B".

*Provisions of  
Rev. Stat.,  
c. 238, to  
apply.*

**14.** The provisions of *The Assessment Act* shall apply to the collection and recovery of all special rates imposed under the provisions of this Act.

*Rate of  
interest.*

**15.** Debentures issued under the provisions of the by-laws above referred to shall bear interest at such rate, not to exceed five and one-half per centum per annum, as the council of each of the said corporations shall in said by-law determine and the principal and interest thereof shall be made payable in equal annual instalments.

*Irregularity  
in form not  
to invalidate.*

**16.** No irregularity in the form of any of the debentures issued under the authority of this Act, or in any of the by-laws authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action brought against the said corporations for the recovery of the amount thereof, or any part thereof, or the interest thereon.

*Commencement of Act.*

**17.** This Act shall come into force on the day upon which it receives the Royal Assent.



## SCHEDULE "A"

This Agreement made this 15th day of March, 1935.

BETWEEN:

JOHN AINSLIE BAIRD, of the Town of Sarnia, in the County of Lambton; WILLIAM H. DAY, of the Village of Bradford, in the County of Simcoe; and JOHN MUNRO, of the City of Hamilton, in the County of Wentworth, Administrator of the Estate of DUNCAN PAUL MUNRO, late of the City of Guelph, in the County of Wellington, being all the Members of the HOLLAND MARSH SYNDICATE, hereinafter called the "Parties"

of the first part;

—and—

THE CORPORATION OF THE TOWNSHIP OF KING, in the County of York, hereinafter called the "Corporation"

of the second part.

Whereas The Holland Marsh Syndicate was the owner of certain lands in the Township of King, in the County of York, held in the name of William H. Day;

And whereas on the second day of November, 1931, certain lands of the above mentioned Syndicate in the Township of King were sold at a Tax Sale to S. R. Manson of the City of Hamilton in the County of Wentworth for the sum of \$11,228.00;

And whereas on the twenty-second day of September, 1932, Lots 8 and 9 in the First Concession, Township of King, New Survey, were sold at a Tax Sale to H. M. Dignam and the said Sale was subsequently cancelled with the concurrence of the said Dignam;

And whereas the Holland Marsh Syndicate issued a Writ to set aside the said Sales of its said lands;

And whereas certain parts of the said Syndicate's lands so sold at the Tax Sale held on November second, 1931, have been, on instructions of S. R. Manson, conveyed by the Warden and the Treasurer of the County of York to Holland River Gardens Limited but no conveyance has been made of any of the other lands so sold;

And whereas it is agreed that the said Action, Litigation or Matter in Dispute shall be settled as follows:

1. The alleged Sale for Taxes held on the second day of November, 1931, of the following lands, being part of Lot 8, First Concession, New Survey; part of Lot 9, First Concession, New Survey; Lot 7, Second Concession, New Survey; Lot 8, Second Concession, New Survey; Lot 9, Second Concession, New Survey, Lot 10, Second Concession, New Survey; Lot 11, Second Concession, New Survey; Lot 13, Second Concession, New Survey; the north thirty-five acres of Lot 14, Second Concession, New Survey; Lots 11, 12 and 13, Third Concession, New Survey; Lot 14, Third Concession, New Survey; West half Lot 7, third Concession, Old Survey; Lot 8, Third Concession, Old Survey; all in the Township of King, in the County of York, and also the alleged sale for taxes held on the 22nd day of September, 1932, of Lots 8 and 9, First Concession, New Survey, Township of King, shall be set aside. The assessments up to and including the year 1934, Tax Sale and Tax deed of the following lands, being that part of Lot 9, inside of Drainage Area, and Lots 10,



14 and 15, all in the Third Concession, Old Survey, Township of King, County of York, conveyed to Holland River Gardens Limited shall be confirmed.

2. The arrears of taxes on Lot 8, First Concession, New Survey; Lot 9, First Concession, New Survey; Lot 7, Second Concession, New Survey; Lot 8, Second Concession, New Survey; Lot 9, Second Concession, New Survey; Lot 10, Second Concession, New Survey; Lot 11, Second Concession, New Survey; Lot 13, Second Concession, New Survey; the north thirty-five acres of Lot 14, Second Concession, New Survey; Lots 11, 12 and 13, Third Concession, New Survey; Lot 14, Third Concession, New Survey; west half of Lot 7, Third Concession, Old Survey; Lot 8, Third Concession, Old Survey, all in the Township of King, in the County of York, for the years 1927, to the years 1934, inclusive, and the balance of the arrears of taxes on Lot 16, Third Concession, Old Survey, Township of King for the years 1927 to 1934 inclusive, together with the costs of said litigation and the obtaining of a Private Bill to confirm this agreement, amount to \$26,596.93, and it is agreed that application shall be made to the Legislature of the Province of Ontario for a Private Bill authorizing the Corporation to borrow the said sum of \$26,596.93 and to issue debentures of the Corporation to that amount in sums of not less than \$50.00 each and payable within twenty-two years from the date of the said debentures with interest at a rate not to exceed 5½ per centum per annum, the said debentures to be payable in twenty-two equal annual instalments, including both principal and interest, and one of the said instalments to fall due each year during the said period, and for authority to assess each year during the said period of twenty-two years against the following lots and parts of lots: Lot 8, First Concession, New Survey, except that part outside of Drainage Canal; Lot 9, First Concession, New Survey, except that part outside of Drainage Canal; Lot 7, Second Concession, New Survey; Lot 8, Second Concession, New Survey; Lot 9, Second Concession, New Survey; Lot 10, Second Concession, New Survey; Lot 11, Second Concession, New Survey; Lot 13, Second Concession, New Survey; the north thirty-five acres of Lot 14, Second Concession, New Survey; Lots 11, 12 and 13, Third Concession, New Survey; Lot 14, Third Concession, New Survey; that part of the west half of Lot 7 inside of Drainage Canal, Third Concession, Old Survey; that part of Lot 8, inside of Drainage Canal, Third Concession, Old Survey, and Lot 16, Third Concession, Old Survey, all in the Township of King in the County of York, a special rate sufficient to meet the said debenture instalment as and when the same shall become due, the said special rate to be assessed, levied and collected over and above all other rates, and to be levied and collected in the same manner and at the same time as other rates are levied and collected, and the share of the said special rate to be levied against each of the said lots and parts of lots shall be determined in the same manner and be according to the same relative proportions as said lots and parts of lots were assessed under the original Drainage By-law of the Corporation of the Township of King Number 476 enacted on the 30th day of October, 1926.

3. It is agreed that the said Corporation shall apply to the next session of the Legislature for the Province of Ontario for an Act to confirm the several terms and provisions hereof and to authorize the Corporation to sell the said debentures and to make the said assessments and to terminate the said litigation.

4. In the event that the Parties of the First Part fail to pay or cause or procure to be paid during the year 1935, the taxes properly assessed and levied during the year 1935 against any of the said parcels, including the amount to be assessed as herein provided to meet the Debentures to be issued as aforesaid, the Parties of the First Part will grant and convey to the Defendant Municipality, or to its nominee or nominees, each and every parcel of the said lands in respect of which such default shall occur, and on failure to convey the said lands free from encumbrances the said lands shall vest in the Corporation or its nominee or nominees free from all encumbrances, and the Private Bill of the Legislature shall provide for the vesting of the land in the Corporation of the Township of King or its nominee or nominees free from all incumbrances and free from all and every claim of the Parties of the First Part. Provided,



however, that if during the year 1935 the Parties of the First Part shall procure a Purchaser of any part of the said lands to settle thereon, or shall procure such a Purchaser to execute substantial improvements or development work upon any of the said lands, or shall themselves do or cause to be done such improvements or development work, the Parties of the First Part may apply to the Council of the Corporation of the Township of King, either before or after the sale of the said lands, or the doing of the said work, and with the sanction and approval of the said Council, any such parcel may be exempted upon such terms as may be agreed upon, from the provisions of this clause, in respect to the conveying of the lands to the Corporation, or its nominee, or the vesting of the said land in the said Corporation or its nominee or nominees.

5. On the sale of the Debentures The Corporation of the Township of King will pay to the said Holland Marsh Syndicate the sum of \$3,200, its costs of the litigation, and the balance (less profit, if any, on sale of any of said debentures above par) shall be credited to the General Funds of the Township of King in payment of the taxes and assessments imposed on the Syndicate's said lands as described in the first part of paragraph 2 hereof during the years 1927 to 1934, except the sum of \$4,225, which shall be applied to defray the costs of the Township of King in the litigation and of the Private Bill.

6. The Parties of the First Part agree and consent to the Corporation of the Township of King applying at the next Session of the Legislature of the Province of Ontario for an Act to enable it to carry out the terms embodied in this Agreement.

7. The Corporation of the Township of King will, on the obtaining of the necessary legislation, pass a Debenture By-law to authorize the issue of Debentures, as provided herein and will endeavour to sell the same and carry out the terms of this Agreement. Upon obtaining the Special Legislation as aforesaid the said Action shall be dismissed without costs, save as hereinbefore provided.

8. In the event of it being found after investigation into the costs of the Drainage Scheme that the Township of King has assessed the said lands of the Syndicate in excess of the amount properly chargeable against the said lands for the cost of the said Scheme, then the by-laws subsequent to By-law 476 shall be amended and assessments adjusted so that proper credit shall be given for any amount or amounts assessed or charged over and above the amount properly assessable or chargeable according to the costs of the said Drainage work as so found.

In witness whereof the parties hereto have executed these presents.

SIGNED, SEALED AND DELIVERED  
in the presence of

FASKEN, ROBERTSON, AITCHISON,  
PICKUP & CALVIN,

Per J. W. PICKUP,  
Solicitors for Holland Marsh  
Syndicate.

VAUGHAN & JENKINS,  
Solicitors for the Township of King.



## SCHEDULE "B"

This Agreement made this 15th day of March, 1935.

## BETWEEN:

JOHN AINSLIE BAIRD, of the Town of Sarnia, in the County of Lambton; WILLIAM H. DAY, of the Village of Bradford, in the County of Simcoe; and JOHN MUNRO, of the City of Hamilton, in the County of Wentworth, Administrator of the Estate of DUNCAN PAUL MUNRO, late of the City of Guelph, in the County of Wellington, being all the Members of the HOLLAND MARSH SYNDICATE, hereinafter called the "Parties"

of the First Part;

—and—

THE CORPORATION OF THE TOWNSHIP OF WEST GWILLIMBURY, in the County of Simcoe, hereinafter called the "Corporation"

of the Second Part;

—and—

D. H. COLEMAN, Treasurer of the County of Simcoe,

of the Third Part.

Whereas The Holland Marsh Syndicate was the owner of certain lands in the Township of West Gwillimbury, in the County of Simcoe, held in the name of William H. Day.

And whereas certain of the lands of the above mentioned Syndicate in the Township of West Gwillimbury were sold to the Corporation of the Township of West Gwillimbury for alleged arrears of taxes owing thereon.

And whereas The Holland Marsh Syndicate issued a writ in the Supreme Court of Ontario to set aside the said sale of its said lands;

And whereas it is mutually agreed between the Parties hereto that the said action, litigation, or matter in dispute shall be settled as follows:

1. The alleged sale for taxes of the following lands:

(a) The whole of Township lots 4, 5, 6 and 7 in the First Concession.

(b) The whole of Township lot 6 (except that part patented to H. J. Bolton, October 23rd, 1852) and lots 9, 10 and 11, in the Second Concession.

(c) The whole of lot 11 (except 11½ acres patented by metes and bounds to John McFarland) and lots 14 and A in the Third Concession.

(d) The south half of Township lot Number 14 and that portion of lot 15 particularly described in deed registered in the Registry Office for the County of Simcoe on the 22nd day of May, 1925, as Number 7071 and the whole of lot 16 in the Fourth Concession.

(e) The whole of Township lots 16 and 17 in the Fifth Concession; all in the Township of West Gwillimbury, in the County of Simcoe, shall be set aside.

2. The arrears of taxes on the said lands for the years 1927 to the year 1934 inclusive, together with the costs of said litigation and the obtaining



of a Private Bill to confirm this agreement amount to \$15,914.00, and it is agreed that application shall be made to the Legislature of the Province of Ontario for a Private Bill authorizing the Corporation to borrow the said sum of \$15,914.00 and to issue debentures of the Corporation to that amount in sums of not less than \$50.00 each and payable within twenty-one years from the date of the said debentures with interest at the rate of 4½ per centum per annum, the said debentures to be payable in twenty-one equal annual instalments, including both principal and interest, and one of the said instalments to fall due each year during the said period; and for authority to assess each year during the said period of twenty-one years against the said lots and parts of lots a special rate sufficient to meet the said debenture instalment falling due in such year, the said special rate to be assessed, levied and collected over and above all other rates, and to be levied and collected in the same manner and at the same time as other rates are levied and collected, and the share of the said special rate to be assessed and levied against each of the said lots and parts of lots shall be determined in the same manner and be according to the same relative proportions as the said lots and parts of lots were assessed under the Original Drainage By-law of the Corporation of the Township of West Gwillimbury Number 595-A enacted on the 30th day of May, 1925.

3. It is agreed that the said Corporation shall apply to the next session of the Legislature for the Province of Ontario for an Act to confirm the several terms and provisions hereof and to authorize the Corporation to sell the said debentures and to make the said assessments and to terminate the said litigation.

4. In the event that the said parties of the First Part fail to pay or cause or procure to be paid, during the year 1935, the taxes properly assessed and levied during the year 1935 against any of the said lots or parts of lots, including the amount to be assessed as herein provided to meet the said debentures, the parties of the First Part will release and quit claim unto the Corporation or its nominee or nominees each and every lot or part of lot in respect of which such default shall occur, and on failure to so convey the said lot or part of lot shall vest in the Corporation or its nominee or nominees and the said Private Bill of the Legislature shall provide accordingly; provided, however, that if, during the year 1935, the Parties of the First Part shall procure a purchaser of any part of the said lands to settle thereon or shall procure such a purchaser to execute substantial improvements or development work upon any of the said lands or shall themselves do or cause to be done such improvements or development work, the Parties of the First Part may apply to the Council of The Corporation of the Township of West Gwillimbury either before or after the sale of the said lands or the doing of the said work and with the sanction and approval of the said Council any such parcel may be exempted upon such terms as may be agreed upon from the provisions of this clause in respect to the conveying of the lands to the Corporation or its nominee or the vesting of the said land in the said Corporation or its nominee or nominees.

5. On the sale of the said debentures, The Corporation of the Township of West Gwillimbury will pay to the said Holland Marsh Syndicate the sum of \$200.00 on account of its costs of the said litigation and the balance shall be credited to the general funds of the Township of West Gwillimbury in payment of the taxes and assessments imposed on the Syndicate's said lands during the years 1927 to 1934 inclusive, except the sum of \$350.00 which shall be applied to defray the costs of the Township of West Gwillimbury in the litigation and of the said Private Bill.

6. Upon the issuing of the said debentures, the Corporation shall pay to the said Syndicate the sum of \$200.00 on account of its costs as aforesaid.

7. Upon the Legislature for the Province of Ontario approving of the proposed Private Bill, the said action in the Supreme Court of Ontario shall be dismissed without costs save as set forth herein.

8. It is further agreed between the Parties hereto that the Corporation will procure from the Engineer in charge of the construction of the Holland Marsh Drainage Works, or other competent authority, a statement



showing the total cost thereof, together with a statement of the proceeds of all debentures sold by the said Corporation in connection with the Holland Marsh Drainage Scheme, and any other moneys paid or payable in connection with the said Drainage Scheme, and after it is ascertained whether there be any deficiency of receipts to pay the said total cost after credit has been given for the proceeds of debentures sold in the years 1926 and 1927, an adjudication shall be made by the Engineer in charge of the said Drainage Works, or other competent Engineer appointed therefor, apportioning the amount of the said total cost not so paid or provided for among the Municipalities of The Corporation of the Township of West Gwillimbury, the Corporation of the Township of King and the Corporation of the Village of Bradford.

In witness whereof the Parties hereto have executed these presents.

SIGNED, SEALED AND DELIVERED

in the presence of:

FASKEN, ROBERTSON, AITCHISON,  
PICKUP & CALVIN.  
Per J. W. PICKUP,

Solicitors for Holland Marsh  
Syndicate.

EVANS & EVANS,  
Solicitors for Township of West  
Gwillimbury.

Boys & Boys,  
Solicitors for D. H. Coleman,  
Treasurer County of Simcoe.







BILL

An Act respecting the Township of King  
and the Township of West Gwillimbury.

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*1st Reading*

March 21st, 1935

*2nd Reading*

*3rd Reading*

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MR. BAKER

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(*Private Bill*)

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1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the Township of King and the Township  
of West Gwillimbury.

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MR. BAKER

---

(PRIVATE BILL)

No. 34

1935

# BILL

## An Act respecting the Township of King and the Township of West Gwillimbury.

**Preamble.**

WHEREAS the corporations of the township of King and the township of West Gwillimbury have by their petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

1. This Act may be cited as *The Townships of King and West Gwillimbury Act, 1935.*

Minutes of  
settlement of  
action  
ratified.

2. Notwithstanding the provisions of any general or special Act the minutes of settlement of the action in the Supreme Court, wherein Holland Marsh Syndicate was plaintiff and D. J. MacDonald, treasurer of the county of York, and the corporation of the township of King, in the county of York, and W. W. Gardhouse, treasurer of the county of York, since May, 1933, and S. R. Manson, were defendants, as set out in Schedule "A," are ratified and confirmed and declared to be legal, valid and binding upon the respective parties to the action.

Council  
authorized to  
complete  
settlement.

3. The council of the corporation of the township of King may pass all necessary by-laws to carry out and complete the said settlement without submitting the same to a vote of the ratepayers.

Issue of  
debentures.

4. The corporation of the township of King may provide by by-law for the issue or issues of debentures payable within twenty-two years from their date, for the sum of \$26,596.93 for the purposes mentioned in the said settlement.

Assessment  
and special  
rate.

5. For the payment of the debt and interest represented by the debentures to be issued under the authority of section 4 there shall be raised annually by the corporation of the township of King, during the currency of the debentures a sum sufficient to pay the said debenture debt and interest



when and as the same shall respectively become due and such sums shall be levied and collected by special rates over and above all other rates on the following property, being all and singular those certain parcels or tracts of lands and premises situate, lying and being in the township of King, in the county of York, and more particularly described as follows: Lot 8, first concession, new survey, except that part outside drainage canal; lot 9, first concession, new survey, except that part outside of drainage canal; lot 7, second concession, new survey; lot 8, second concession, new survey; lot 9, second concession, new survey; lot 10, second concession, new survey; lot 11, second concession, new survey; lot 13, second concession, new survey; the north thirty-five acres of lot 14, second concession, new survey; lots 11, 12 and 13, third concession, new survey; lot 14, third concession, new survey; that part of the west half of lot 7 inside of drainage canal, third concession, old survey; that part of lot 8, inside of drainage canal, third concession, old survey, and lot 16, third concession, old survey, all in the township of King, in the county of York, and such levy shall be apportioned on said lots as set out in Schedule "A" referred to in section 2 thereof.

Vesting of  
land on  
default of  
payment of  
1935 taxes.

**6.** Upon default being made in the payment of taxes on any of the following lands: Lot 8, first concession, new survey, except that part outside drainage canal; lot 9, first concession, new survey, except that part outside of drainage canal; lot 7, second concession, new survey; lot 8, second concession, new survey; lot 9, second concession, new survey; lot 10, second concession, new survey; lot 11, second concession, new survey; lot 13, second concession, new survey; the north thirty-five acres of lot 14, second concession, new survey; lots 11, 12 and 13, third concession, new survey; lot 14, third concession, new survey; that part of the west half of lot 7 inside of drainage canal, third concession, old survey; that part of lot 8 inside of drainage canal, third concession, old survey, and lot 16, third concession, old survey, all in the township of King, in the county of York, for the year 1935, during the year 1935, such lot or lots for which the taxes for the year 1935 have not been paid during the year 1935 shall vest in the corporation of the township of King, or its nominee or nominees, as designated by by-law of the said township, free from all encumbrances or claims whatsoever. Provided, however, that the council of the corporation of the township of King may exempt all or any part of the lands described herein from this provision, upon such terms as may be agreed on by the said council.

Disposition  
of money.

**7.** The money raised from the sale of debentures shall be used as provided in the agreement set forth in Schedule "A".

Minutes of  
settlement of  
action  
ratified.

**8.** The minutes of settlement of the action in the Supreme Court, wherein Holland Marsh Syndicate was



plaintiff and D. H. Coleman, treasurer of the county of Simcoe, and the corporation of the township of West Gwillimbury, were defendants, as set out in Schedule "B," are ratified and confirmed and declared to be legal, valid and binding upon the respective parties to the action.

Council  
authorized to  
complete  
settlement.

**9.** The council of the corporation of the township of West Gwillimbury may pass all necessary by-laws to carry out and complete the said settlement without submitting the same to a vote of the ratepayers.

Issue of  
debentures.

**10.** The corporation of the township of West Gwillimbury may provide by by-law for the issue or issues of debentures payable within twenty-one years from their date for the sum of \$15,914 for the purposes mentioned in Schedule "B".

Assessment  
and special  
rate.

**11.** For the payment of the debt and interest represented by the debentures to be issued under the authority of section 10, there shall be raised annually by the corporation of the township of West Gwillimbury, during the currency of the debentures, a sum sufficient to pay the said debenture debt and interest, when and as the same shall respectively become due, and such sums shall be levied and collected by special rates over and above all other rates on all the following property, being all and singular those certain parcels or tracts of land and premises, situate, lying and being in the township of West Gwillimbury, in the county of Simcoe, and more particularly described as follows: The whole of township lots 4, 5, 6 and 7 in the first concession; the whole of township lot 6 (except that part patented to H. J. Bolton, October 23rd, 1852) and lots 9, 10 and 11 in the second concession; the whole of lot 11 (except 11½ acres patented by metes and bounds to John McFarland) and lots 14 and A in the third concession; the south half of township lot number 14 and that portion of lot 15 particularly described in deed registered in the registry office for the county of Simcoe on the 22nd day of May, 1925, as number 7071, and the whole of lot 16 in the fourth concession; the whole of township lots 16 and 17 in the fifth concession, and such levy shall be apportioned on said lands as set out in Schedule "B" referred to in section 8 thereof.

Vesting of  
land on  
default of  
payment of  
1935 taxes.

**12.** Upon default being made in the payment of taxes on any of the following lands: The whole of township lots 4, 5, 6 and 7 in the first concession; the whole of township lot 6 (except that part patented to H. J. Bolton, October 23rd, 1852) and lots 9, 10 and 11 in the second concession; the whole of lot 11 (except 11½ acres patented by metes and bounds to John McFarland) and lots 14 and A in the third concession; the south half of township lot 14 and that portion of lot 15 particularly described in deed registered in the registry office for the county of Simcoe, on the 22nd day of May, 1925, as



number 7071, and the whole of lot 16 in the fourth concession; the whole of township lots 16 and 17 in the fifth concession, all in the township of West Gwillimbury, in the county of Simcoe, for the year 1935, during the year 1935, such lot or lots for which the taxes for the year 1935 have not been paid during the year 1935, shall vest in the corporation of the township of West Gwillimbury, or its nominee or nominees as designated by by-law of the said township, free from all encumbrances or claims whatsoever. Provided, however, that the council of the corporation of the township of West Gwillimbury may exempt all or any part of the lands herein from this provision upon such terms as may be agreed on by the said council.

*Disposition  
of money.*

**13.** The money raised from the sale of debentures shall be used as provided in the agreement set forth in Schedule "B".

*Provisions of  
Rev. Stat.  
c. 238, to  
apply.*

**14.** The provisions of *The Assessment Act* shall apply to the collection and recovery of all special rates imposed under the provisions of this Act.

*Rate of  
interest.*

**15.** Debentures issued under the provisions of the by-laws above referred to shall bear interest at such rate, not to exceed five and one-half per centum per annum, as the council of each of the said corporations shall in said by-law determine and the principal and interest thereof shall be made payable in equal annual instalments.

*Irregularity  
in form not  
to invalidate.*

**16.** No irregularity in the form of any of the debentures issued under the authority of this Act, or in any of the by-laws authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action brought against the said corporations for the recovery of the amount thereof, or any part thereof, or the interest thereon.



*Application  
of  
debenture  
surplus.*

**17.** If upon the sale of the said debentures by either of the said corporations a surplus is derived, the amount thereof shall be applied in reduction of the special rates to be levied under the authority of this Act in each of the years during which such debentures are current, and shall not be applied to any other purpose.



*Commencement  
of Act.*

**18.** This Act shall come into force on the day upon which it receives the Royal Assent.



## SCHEDULE "A"

This Agreement made this 15th day of March, 1935.

BETWEEN:

JOHN AINSLIE BAIRD, of the Town of Sarnia, in the County of Lambton; WILLIAM H. DAY, of the Village of Bradford, in the County of Simcoe; and JOHN MUNRO, of the City of Hamilton, in the County of Wentworth, Administrator of the Estate of DUNCAN PAUL MUNRO, late of the City of Guelph, in the County of Wellington, being all the Members of the HOLLAND MARSH SYNDICATE, hereinafter called the "Parties"

of the first part;

—and—

THE CORPORATION OF THE TOWNSHIP OF KING, in the County of York, hereinafter called the "Corporation"

of the second part.

Whereas The Holland Marsh Syndicate was the owner of certain lands in the Township of King, in the County of York, held in the name of William H. Day;

And whereas on the second day of November, 1931, certain lands of the above mentioned Syndicate in the Township of King were sold at a Tax Sale to S. R. Manson of the City of Hamilton in the County of Wentworth for the sum of \$11,228.00;

And whereas on the twenty-second day of September, 1932, Lots 8 and 9 in the First Concession, Township of King, New Survey, were sold at a Tax Sale to H. M. Dignam and the said Sale was subsequently cancelled with the concurrence of the said Dignam;

And whereas the Holland Marsh Syndicate issued a Writ to set aside the said Sales of its said lands;

And whereas certain parts of the said Syndicate's lands so sold at the Tax Sale held on November second, 1931, have been, on instructions of S. R. Manson, conveyed by the Warden and the Treasurer of the County of York to Holland River Gardens Limited but no conveyance has been made of any of the other lands so sold;

And whereas it is agreed that the said Action, Litigation or Matter in Dispute shall be settled as follows:

1. The alleged Sale for Taxes held on the second day of November, 1931, of the following lands, being part of Lot 8, First Concession, New Survey; part of Lot 9, First Concession, New Survey; Lot 7, Second Concession, New Survey; Lot 8, Second Concession, New Survey; Lot 9, Second Concession, New Survey, Lot 10, Second Concession, New Survey; Lot 11, Second Concession, New Survey; Lot 13, Second Concession, New Survey; the north thirty-five acres of Lot 14, Second Concession, New Survey; Lots 11, 12 and 13, Third Concession, New Survey; Lot 14, Third Concession, New Survey; West half Lot 7, third Concession, Old Survey; Lot 8, Third Concession, Old Survey; all in the Township of King, in the County of York, and also the alleged sale for taxes held on the 22nd day of September, 1932, of Lots 8 and 9, First Concession, New Survey, Township of King, shall be set aside. The assessments up to and including the year 1934, Tax Sale and Tax deed of the following lands, being that part of Lot 9, inside of Drainage Area, and Lots 10,



14 and 15, all in the Third Concession, Old Survey, Township of King, County of York, conveyed to Holland River Gardens Limited shall be confirmed.

2. The arrears of taxes on Lot 8, First Concession, New Survey; Lot 9, First Concession, New Survey; Lot 7, Second Concession, New Survey; Lot 8, Second Concession, New Survey; Lot 9, Second Concession, New Survey; Lot 10, Second Concession, New Survey; Lot 11, Second Concession, New Survey; Lot 13, Second Concession, New Survey; the north thirty-five acres of Lot 14, Second Concession, New Survey; Lots 11, 12 and 13, Third Concession, New Survey; Lot 14, Third Concession, New Survey; west half of Lot 7, Third Concession, Old Survey; Lot 8, Third Concession, Old Survey, all in the Township of King, in the County of York, for the years 1927, to the years 1934, inclusive, and the balance of the arrears of taxes on Lot 16, Third Concession, Old Survey, Township of King for the years 1927 to 1934 inclusive, together with the costs of said litigation and the obtaining of a Private Bill to confirm this agreement, amount to \$26,596.93, and it is agreed that application shall be made to the Legislature of the Province of Ontario for a Private Bill authorizing the Corporation to borrow the said sum of \$26,596.93 and to issue debentures of the Corporation to that amount in sums of not less than \$50.00 each and payable within twenty-two years from the date of the said debentures with interest at a rate not to exceed 5½ per centum per annum, the said debentures to be payable in twenty-two equal annual instalments, including both principal and interest, and one of the said instalments to fall due each year during the said period, and for authority to assess each year during the said period of twenty-two years against the following lots and parts of lots: Lot 8, First Concession, New Survey, except that part outside of Drainage Canal; Lot 9, First Concession, New Survey, except that part outside of Drainage Canal; Lot 7, Second Concession, New Survey; Lot 8, Second Concession, New Survey; Lot 9, Second Concession, New Survey; Lot 10, Second Concession, New Survey; Lot 11, Second Concession, New Survey; Lot 13, Second Concession, New Survey; the north thirty-five acres of Lot 14, Second Concession, New Survey; Lots 11, 12 and 13, Third Concession, New Survey; Lot 14, Third Concession, New Survey; that part of the west half of Lot 7 inside of Drainage Canal, Third Concession, Old Survey; that part of Lot 8, inside of Drainage Canal, Third Concession, Old Survey, and Lot 16, Third Concession, Old Survey, all in the Township of King in the County of York, a special rate sufficient to meet the said debenture instalment as and when the same shall become due, the said special rate to be assessed, levied and collected over and above all other rates, and to be levied and collected in the same manner and at the same time as other rates are levied and collected, and the share of the said special rate to be levied against each of the said lots and parts of lots shall be determined in the same manner and be according to the same relative proportions as said lots and parts of lots were assessed under the original Drainage By-law of the Corporation of the Township of King Number 476 enacted on the 30th day of October, 1926.

3. It is agreed that the said Corporation shall apply to the next session of the Legislature for the Province of Ontario for an Act to confirm the several terms and provisions hereof and to authorize the Corporation to sell the said debentures and to make the said assessments and to terminate the said litigation.

4. In the event that the Parties of the First Part fail to pay or cause or procure to be paid during the year 1935, the taxes properly assessed and levied during the year 1935 against any of the said parcels, including the amount to be assessed as herein provided to meet the Debentures to be issued as aforesaid, the Parties of the First Part will grant and convey to the Defendant Municipality, or to its nominee or nominees, each and every parcel of the said lands in respect of which such default shall occur, and on failure to convey the said lands free from encumbrances the said lands shall vest in the Corporation or its nominee or nominees free from all encumbrances, and the Private Bill of the Legislature shall provide for the vesting of the land in the Corporation of the Township of King or its nominee or nominees free from all incumbrances and free from all and every claim of the Parties of the First Part. Provided,



however, that if during the year 1935 the Parties of the First Part shall procure a Purchaser of any part of the said lands to settle thereon, or shall procure such a Purchaser to execute substantial improvements or development work upon any of the said lands, or shall themselves do or cause to be done such improvements or development work, the Parties of the First Part may apply to the Council of the Corporation of the Township of King, either before or after the sale of the said lands, or the doing of the said work, and with the sanction and approval of the said Council, any such parcel may be exempted upon such terms as may be agreed upon, from the provisions of this clause, in respect to the conveying of the lands to the Corporation, or its nominee, or the vesting of the said land in the said Corporation or its nominee or nominees.

5. On the sale of the Debentures The Corporation of the Township of King will pay to the said Holland Marsh Syndicate the sum of \$3,200, its costs of the litigation, and the balance (less profit, if any, on sale of any of said debentures above par) shall be credited to the General Funds of the Township of King in payment of the taxes and assessments imposed on the Syndicate's said lands as described in the first part of paragraph 2 hereof during the years 1927 to 1934, except the sum of \$4,225, which shall be applied to defray the costs of the Township of King in the litigation and of the Private Bill.

6. The Parties of the First Part agree and consent to the Corporation of the Township of King applying at the next Session of the Legislature of the Province of Ontario for an Act to enable it to carry out the terms embodied in this Agreement.

7. The Corporation of the Township of King will, on the obtaining of the necessary legislation, pass a Debenture By-law to authorize the issue of Debentures, as provided herein and will endeavour to sell the same and carry out the terms of this Agreement. Upon obtaining the Special Legislation as aforesaid the said Action shall be dismissed without costs, save as hereinbefore provided.

8. In the event of it being found after investigation into the costs of the Drainage Scheme that the Township of King has assessed the said lands of the Syndicate in excess of the amount properly chargeable against the said lands for the cost of the said Scheme, then the by-laws subsequent to By-law 476 shall be amended and assessments adjusted so that proper credit shall be given for any amount or amounts assessed or charged over and above the amount properly assessable or chargeable according to the costs of the said Drainage work as so found.

In witness whereof the parties hereto have executed these presents.

SIGNED, SEALED AND DELIVERED

in the presence of

FASKEN, ROBERTSON, AITCHISON,  
PICKUP & CALVIN,

Per J. W. PICKUP,  
Solicitors for Holland Marsh  
Syndicate.

NAUGHTON & JENKINS,  
Solicitors for the Township of King.



## SCHEDULE "B"

This Agreement made this 15th day of March, 1935.

BETWEEN:

JOHN AINSLIE BAIRD, of the Town of Sarnia, in the County of Lambton; WILLIAM H. DAY, of the Village of Bradford, in the County of Simcoe; and JOHN MUNRO, of the City of Hamilton, in the County of Wentworth, Administrator of the Estate of DUNCAN PAUL MUNRO, late of the City of Guelph, in the County of Wellington, being all the Members of the HOLLAND MARSH SYNDICATE, hereinafter called the "Parties"

of the First Part;

—and—

THE CORPORATION OF THE TOWNSHIP OF WEST GWILLIMBURY, in the County of Simcoe, hereinafter called the "Corporation"

of the Second Part;

—and—

D. H. COLEMAN, Treasurer of the County of Simcoe,

of the Third Part.

Whereas The Holland Marsh Syndicate was the owner of certain lands in the Township of West Gwillimbury, in the County of Simcoe, held in the name of William H. Day.

And whereas certain of the lands of the above mentioned Syndicate in the Township of West Gwillimbury were sold to the Corporation of the Township of West Gwillimbury for alleged arrears of taxes owing thereon.

And whereas The Holland Marsh Syndicate issued a writ in the Supreme Court of Ontario to set aside the said sale of its said lands;

And whereas it is mutually agreed between the Parties hereto that the said action, litigation, or matter in dispute shall be settled as follows:

1. The alleged sale for taxes of the following lands:

(a) The whole of Township lots 4, 5, 6 and 7 in the First Concession.

(b) The whole of Township lot 6 (except that part patented to H. J. Bolton, October 23rd, 1852) and lots 9, 10 and 11, in the Second Concession.

(c) The whole of lot 11 (except 11½ acres patented by metes and bounds to John McFarland) and lots 14 and A in the Third Concession.

(d) The south half of Township lot Number 14 and that portion of lot 15 particularly described in deed registered in the Registry Office for the County of Simcoe on the 22nd day of May, 1925, as Number 7071 and the whole of lot 16 in the Fourth Concession.

(e) The whole of Township lots 16 and 17 in the Fifth Concession; all in the Township of West Gwillimbury, in the County of Simcoe, shall be set aside.

2. The arrears of taxes on the said lands for the years 1927 to the year 1934 inclusive, together with the costs of said litigation and the obtaining



of a Private Bill to confirm this agreement amount to \$15,914.00, and it is agreed that application shall be made to the Legislature of the Province of Ontario for a Private Bill authorizing the Corporation to borrow the said sum of \$15,914.00 and to issue debentures of the Corporation to that amount in sums of not less than \$50.00 each and payable within twenty-one years from the date of the said debentures with interest at the rate of  $4\frac{1}{2}$  per centum per annum, the said debentures to be payable in twenty-one equal annual instalments, including both principal and interest, and one of the said instalments to fall due each year during the said period; and for authority to assess each year during the said period of twenty-one years against the said lots and parts of lots a special rate sufficient to meet the said debenture instalment falling due in such year, the said special rate to be assessed, levied and collected over and above all other rates, and to be levied and collected in the same manner and at the same time as other rates are levied and collected, and the share of the said special rate to be assessed and levied against each of the said lots and parts of lots shall be determined in the same manner and be according to the same relative proportions as the said lots and parts of lots were assessed under the Original Drainage By-law of the Corporation of the Township of West Gwillimbury Number 595-A enacted on the 30th day of May, 1925.

3. It is agreed that the said Corporation shall apply to the next session of the Legislature for the Province of Ontario for an Act to confirm the several terms and provisions hereof and to authorize the Corporation to sell the said debentures and to make the said assessments and to terminate the said litigation.

4. In the event that the said parties of the First Part fail to pay or cause or procure to be paid, during the year 1935, the taxes properly assessed and levied during the year 1935 against any of the said lots or parts of lots, including the amount to be assessed as herein provided to meet the said debentures, the parties of the First Part will release and quit claim unto the Corporation or its nominee or nominees each and every lot or part of lot in respect of which such default shall occur, and on failure to so convey the said lot or part of lot shall vest in the Corporation or its nominee or nominees and the said Private Bill of the Legislature shall provide accordingly; provided, however, that if, during the year 1935, the Parties of the First Part shall procure a purchaser of any part of the said lands to settle thereon or shall procure such a purchaser to execute substantial improvements or development work upon any of the said lands or shall themselves do or cause to be done such improvements or development work, the Parties of the First Part may apply to the Council of The Corporation of the Township of West Gwillimbury either before or after the sale of the said lands or the doing of the said work and with the sanction and approval of the said Council any such parcel may be exempted upon such terms as may be agreed upon from the provisions of this clause in respect to the conveying of the lands to the Corporation or its nominee or the vesting of the said land in the said Corporation or its nominee or nominees.

5. On the sale of the said debentures, The Corporation of the Township of West Gwillimbury will pay to the said Holland Marsh Syndicate the sum of \$200.00 on account of its costs of the said litigation and the balance shall be credited to the general funds of the Township of West Gwillimbury in payment of the taxes and assessments imposed on the Syndicate's said lands during the years 1927 to 1934 inclusive, except the sum of \$350.00 which shall be applied to defray the costs of the Township of West Gwillimbury in the litigation and of the said Private Bill.

6. Upon the issuing of the said debentures, the Corporation shall pay to the said Syndicate the sum of \$200.00 on account of its costs as aforesaid.

7. Upon the Legislature for the Province of Ontario approving of the proposed Private Bill, the said action in the Supreme Court of Ontario shall be dismissed without costs save as set forth herein.

8. It is further agreed between the Parties hereto that the Corporation will procure from the Engineer in charge of the construction of the Holland Marsh Drainage Works, or other competent authority, a statement



showing the total cost thereof, together with a statement of the proceeds of all debentures sold by the said Corporation in connection with the Holland Marsh Drainage Scheme and any other moneys paid or payable in connection with the said Drainage Scheme, and after it is ascertained whether there be any deficiency of receipts to pay the said total cost after credit has been given for the proceeds of debentures sold in the years 1926 and 1927, an adjudication shall be made by the Engineer in charge of the said Drainage Works, or other competent Engineer appointed therefor, apportioning the amount of the said total cost not so paid or provided for among the Municipalities of The Corporation of the Township of West Gwillimbury, the Corporation of the Township of King and the Corporation of the Village of Bradford.

In witness whereof the Parties hereto have executed these presents.

SIGNED, SEALED AND DELIVERED

in the presence of:

FASKEN, ROBERTSON, AITCHISON,  
PICKUP & CALVIN.  
Per J. W. PICKUP,

Solicitors for Holland Marsh  
Syndicate.

EVANS & EVANS,  
Solicitors for Township of West  
Gwillimbury.

Boys & Boys,  
Solicitors for D. H. Coleman,  
Treasurer County of Simcoe.







BILL

An Act respecting the Township of King  
and the Township of West Gwillimbury.

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*1st Reading*

March 21st, 1935

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*2nd Reading*

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*3rd Reading*

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MR. BAKER

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(Reprinted as amended by the Private Bills  
Committee)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the Township of King and the Township  
of West Gwillimbury.

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MR. BAKER

---

No. 34

1935

# BILL

## An Act respecting the Township of King and the Township of West Gwillimbury.

**Preamble.**

WHEREAS the corporations of the township of King and the township of West Gwillimbury have by their petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

**1.** This Act may be cited as *The Townships of King and West Gwillimbury Act, 1935.*

**Minutes of settlement of action ratified.**

**2.** Notwithstanding the provisions of any general or special Act the minutes of settlement of the action in the Supreme Court, wherein Holland Marsh Syndicate was plaintiff and D. J. MacDonald, treasurer of the county of York, and the corporation of the township of King, in the county of York, and W. W. Gardhouse, treasurer of the county of York, since May, 1933, and S. R. Manson, were defendants, as set out in Schedule "A," are ratified and confirmed and declared to be legal, valid and binding upon the respective parties to the action.

**Council authorized to complete settlement.**

**3.** The council of the corporation of the township of King may pass all necessary by-laws to carry out and complete the said settlement without submitting the same to a vote of the ratepayers.

**Issue of debentures.**

**4.** The corporation of the township of King may provide by by-law for the issue or issues of debentures payable within twenty-two years from their date, for the sum of \$26,596.93 for the purposes mentioned in the said settlement.

**Assessment and special rate.**

**5.** For the payment of the debt and interest represented by the debentures to be issued under the authority of section 4 there shall be raised annually by the corporation of the township of King, during the currency of the debentures a sum sufficient to pay the said debenture debt and interest

when and as the same shall respectively become due and such sums shall be levied and collected by special rates over and above all other rates on the following property, being all and singular those certain parcels or tracts of lands and premises situate, lying and being in the township of King, in the county of York, and more particularly described as follows: Lot 8, first concession, new survey, except that part outside drainage canal; lot 9, first concession, new survey, except that part outside of drainage canal; lot 7, second concession, new survey; lot 8, second concession, new survey; lot 9, second concession, new survey; lot 10, second concession, new survey; lot 11, second concession, new survey; lot 13, second concession, new survey; the north thirty-five acres of lot 14, second concession, new survey; lots 11, 12 and 13, third concession, new survey; lot 14, third concession, new survey; that part of the west half of lot 7 inside of drainage canal, third concession, old survey; that part of lot 8, inside of drainage canal, third concession, old survey, and lot 16, third concession, old survey, all in the township of King, in the county of York, and such levy shall be apportioned on said lots as set out in Schedule "A" referred to in section 2 thereof.

**6.** Upon default being made in the payment of taxes on any ~~vesting of land on~~ <sup>vesting of land on</sup> ~~default of payment of 1935 taxes.~~ of the following lands: Lot 8, first concession, new survey, except that part outside drainage canal; lot 9, first concession, new survey, except that part outside of drainage canal; lot 7, second concession, new survey; lot 8, second concession, new survey; lot 9, second concession, new survey; lot 10, second concession, new survey; lot 11, second concession, new survey; lot 13, second concession, new survey; the north thirty-five acres of lot 14, second concession, new survey; lots 11, 12 and 13, third concession, new survey; lot 14, third concession, new survey; that part of the west half of lot 7 inside of drainage canal, third concession, old survey; that part of lot 8 inside of drainage canal, third concession, old survey, and lot 16, third concession, old survey, all in the township of King, in the county of York, for the year 1935, during the year 1935, such lot or lots for which the taxes for the year 1935 have not been paid during the year 1935 shall vest in the corporation of the township of King, or its nominee or nominees, as designated by by-law of the said township, free from all encumbrances or claims whatsoever. Provided, however, that the council of the corporation of the township of King may exempt all or any part of the lands described herein from this provision, upon such terms as may be agreed on by the said council.

**7.** The money raised from the sale of debentures shall be ~~Disposition of money.~~ used as provided in the agreement set forth in Schedule "A".

**8.** The minutes of settlement of the action in the ~~Supreme Court, wherein Holland Marsh Syndicate was~~ <sup>Minutes of settlement of action ratified.</sup>

plaintiff and D. H. Coleman, treasurer of the county of Simcoe, and the corporation of the township of West Gwillimbury, were defendants, as set out in Schedule "B," are ratified and confirmed and declared to be legal, valid and binding upon the respective parties to the action.

Council authorized to complete settlement.

**9.** The council of the corporation of the township of West Gwillimbury may pass all necessary by-laws to carry out and complete the said settlement without submitting the same to a vote of the ratepayers.

Issue of debentures.

**10.** The corporation of the township of West Gwillimbury may provide by by-law for the issue or issues of debentures payable within twenty-one years from their date for the sum of \$15,914 for the purposes mentioned in Schedule "B".

Assessment and special rate.

**11.** For the payment of the debt and interest represented by the debentures to be issued under the authority of section 10, there shall be raised annually by the corporation of the township of West Gwillimbury, during the currency of the debentures, a sum sufficient to pay the said debenture debt and interest, when and as the same shall respectively become due, and such sums shall be levied and collected by special rates over and above all other rates on all the following property, being all and singular those certain parcels or tracts of land and premises, situate, lying and being in the township of West Gwillimbury, in the county of Simcoe, and more particularly described as follows: The whole of township lots 4, 5, 6 and 7 in the first concession; the whole of township lot 6 (except that part patented to H. J. Bolton, October 23rd, 1852) and lots 9, 10 and 11 in the second concession; the whole of lot 11 (except 11½ acres patented by metes and bounds to John McFarland) and lots 14 and A in the third concession; the south half of township lot number 14 and that portion of lot 15 particularly described in deed registered in the registry office for the county of Simcoe on the 22nd day of May, 1925, as number 7071, and the whole of lot 16 in the fourth concession; the whole of township lots 16 and 17 in the fifth concession, and such levy shall be apportioned on said lands as set out in Schedule "B" referred to in section 8 thereof.

Vesting of land on default of payment of 1935 taxes.

**12.** Upon default being made in the payment of taxes on any of the following lands: The whole of township lots 4, 5, 6 and 7 in the first concession; the whole of township lot 6 (except that part patented to H. J. Bolton, October 23rd, 1852) and lots 9, 10 and 11 in the second concession; the whole of lot 11 (except 11½ acres patented by metes and bounds to John McFarland) and lots 14 and A in the third concession; the south half of township lot 14 and that portion of lot 15 particularly described in deed registered in the registry office for the county of Simcoe, on the 22nd day of May, 1925, as

number 7071, and the whole of lot 16 in the fourth concession; the whole of township lots 16 and 17 in the fifth concession, all in the township of West Gwillimbury, in the county of Simcoe, for the year 1935, during the year 1935, such lot or lots for which the taxes for the year 1935 have not been paid during the year 1935, shall vest in the corporation of the township of West Gwillimbury, or its nominee or nominees as designated by by-law of the said township, free from all encumbrances or claims whatsoever. Provided, however, that the council of the corporation of the township of West Gwillimbury may exempt all or any part of the lands herein from this provision upon such terms as may be agreed on by the said council.

**13.** The money raised from the sale of debentures shall be used as provided in the agreement set forth in Schedule "B". *Disposition of money.*

**14.** The provisions of *The Assessment Act* shall apply to the collection and recovery of all special rates imposed under *Rev. Stat., O. 238, to apply.*

**15.** Debentures issued under the provisions of the by-laws above referred to shall bear interest at such rate, not to exceed five and one-half per centum per annum, as the council of each of the said corporations shall in said by-law determine and the principal and interest thereof shall be made payable in equal annual instalments. *Rate of interest.*

**16.** No irregularity in the form of any of the debentures issued under the authority of this Act, or in any of the by-laws authorizing the issue thereof, shall render the same invalid, or be allowed as a defence to any action brought against the said corporations for the recovery of the amount thereof, or any part thereof, or the interest thereon. *Irregularity in form not to invalidate.*

**17.** If upon the sale of the said debentures by either of the said corporations a surplus is derived, the amount thereof shall be applied in reduction of the special rates to be levied under the authority of this Act in each of the years during which such debentures are current, and shall not be applied to any other purpose. *Application of debenture surplus.*

**18.** This Act shall come into force on the day upon which it receives the Royal Assent. *Commencement of Act.*

## SCHEDULE "A"

This Agreement made this 15th day of March, 1935.

### BETWEEN:

JOHN AINSLIE BAIRD, of the Town of Sarnia, in the County of Lambton; WILLIAM H. DAY, of the Village of Bradford, in the County of Simcoe; and JOHN MUNRO, of the City of Hamilton, in the County of Wentworth, Administrator of the Estate of DUNCAN PAUL MUNRO, late of the City of Guelph, in the County of Wellington, being all the Members of the HOLLAND MARSH SYNDICATE, hereinafter called the "Parties"

of the first part;

—and—

THE CORPORATION OF THE TOWNSHIP OF KING, in the County of York, hereinafter called the "Corporation"

of the second part.

Whereas The Holland Marsh Syndicate was the owner of certain lands in the Township of King, in the County of York, held in the name of William H. Day;

And whereas on the second day of November, 1931, certain lands of the above mentioned Syndicate in the Township of King were sold at a Tax Sale to S. R. Manson of the City of Hamilton in the County of Wentworth for the sum of \$11,228.00;

And whereas on the twenty-second day of September, 1932, Lots 8 and 9 in the First Concession, Township of King, New Survey, were sold at a Tax Sale to H. M. Dignam and the said Sale was subsequently cancelled with the concurrence of the said Dignam;

And whereas the Holland Marsh Syndicate issued a Writ to set aside the said Sales of its said lands;

And whereas certain parts of the said Syndicate's lands so sold at the Tax Sale held on November second, 1931, have been, on instructions of S. R. Manson, conveyed by the Warden and the Treasurer of the County of York to Holland River Gardens Limited but no conveyance has been made of any of the other lands so sold;

And whereas it is agreed that the said Action, Litigation or Matter in Dispute shall be settled as follows:

1. The alleged Sale for Taxes held on the second day of November, 1931, of the following lands, being part of Lot 8, First Concession, New Survey; part of Lot 9, First Concession, New Survey; Lot 7, Second Concession, New Survey; Lot 8, Second Concession, New Survey; Lot 9, Second Concession, New Survey, Lot 10, Second Concession, New Survey; Lot 11, Second Concession, New Survey; Lot 13, Second Concession, New Survey; the north thirty-five acres of Lot 14, Second Concession, New Survey; Lots 11, 12 and 13, Third Concession, New Survey; Lot 14, Third Concession, New Survey; West half Lot 7, third Concession, Old Survey; Lot 8, Third Concession, Old Survey; all in the Township of King, in the County of York, and also the alleged sale for taxes held on the 22nd day of September, 1932, of Lots 8 and 9, First Concession, New Survey, Township of King, shall be set aside. The assessments up to and including the year 1934, Tax Sale and Tax deed of the following lands, being that part of Lot 9, inside of Drainage Area, and Lots 10,

14 and 15, all in the Third Concession, Old Survey, Township of King, County of York, conveyed to Holland River Gardens Limited shall be confirmed.

2. The arrears of taxes on Lot 8, First Concession, New Survey; Lot 9, First Concession, New Survey; Lot 7, Second Concession, New Survey; Lot 8, Second Concession, New Survey; Lot 9, Second Concession, New Survey; Lot 10, Second Concession, New Survey; Lot 11, Second Concession, New Survey; Lot 13, Second Concession, New Survey; the north thirty-five acres of Lot 14, Second Concession, New Survey; Lots 11, 12 and 13, Third Concession, New Survey; Lot 14, Third Concession, New Survey; west half of Lot 7, Third Concession, Old Survey; Lot 8, Third Concession, Old Survey, all in the Township of King, in the County of York, for the years 1927, to the years 1934, inclusive, and the balance of the arrears of taxes on Lot 16, Third Concession, Old Survey, Township of King for the years 1927 to 1934 inclusive, together with the costs of said litigation and the obtaining of a Private Bill to confirm this agreement, amount to \$26,596.93, and it is agreed that application shall be made to the Legislature of the Province of Ontario for a Private Bill authorizing the Corporation to borrow the said sum of \$26,596.93 and to issue debentures of the Corporation to that amount in sums of not less than \$50.00 each and payable within twenty-two years from the date of the said debentures with interest at a rate not to exceed  $5\frac{1}{2}$  per centum per annum, the said debentures to be payable in twenty-two equal annual instalments, including both principal and interest, and one of the said instalments to fall due each year during the said period, and for authority to assess each year during the said period of twenty-two years against the following lots and parts of lots: Lot 8, First Concession, New Survey, except that part outside of Drainage Canal; Lot 9, First Concession, New Survey, except that part outside of Drainage Canal; Lot 7, Second Concession, New Survey; Lot 8, Second Concession, New Survey; Lot 9, Second Concession, New Survey; Lot 10, Second Concession, New Survey; Lot 11, Second Concession, New Survey; Lot 13, Second Concession, New Survey; the north thirty-five acres of Lot 14, Second Concession, New Survey; Lots 11, 12 and 13, Third Concession, New Survey; Lot 14, Third Concession, New Survey; that part of the west half of Lot 7 inside of Drainage Canal, Third Concession, Old Survey; that part of Lot 8, inside of Drainage Canal, Third Concession, Old Survey, and Lot 16, Third Concession, Old Survey, all in the Township of King in the County of York, a special rate sufficient to meet the said debenture instalment as and when the same shall become due, the said special rate to be assessed, levied and collected over and above all other rates, and to be levied and collected in the same manner and at the same time as other rates are levied and collected, and the share of the said special rate to be levied against each of the said lots and parts of lots shall be determined in the same manner and be according to the same relative proportions as said lots and parts of lots were assessed under the original Drainage By-law of the Corporation of the Township of King Number 476 enacted on the 30th day of October, 1926.

3. It is agreed that the said Corporation shall apply to the next session of the Legislature for the Province of Ontario for an Act to confirm the several terms and provisions hereof and to authorize the Corporation to sell the said debentures and to make the said assessments and to terminate the said litigation.

4. In the event that the Parties of the First Part fail to pay or cause or procure to be paid during the year 1935, the taxes properly assessed and levied during the year 1935 against any of the said parcels, including the amount to be assessed as herein provided to meet the Debentures to be issued as aforesaid, the Parties of the First Part will grant and convey to the Defendant Municipality, or to its nominee or nominees, each and every parcel of the said lands in respect of which such default shall occur, and on failure to convey the said lands free from encumbrances the said lands shall vest in the Corporation or its nominee or nominees free from all encumbrances, and the Private Bill of the Legislature shall provide for the vesting of the land in the Corporation of the Township of King or its nominee or nominees free from all incumbrances and free from all and every claim of the Parties of the First Part. Provided,

however, that if during the year 1935 the Parties of the First Part shall procure a Purchaser of any part of the said lands to settle thereon, or shall procure such a Purchaser to execute substantial improvements or development work upon any of the said lands, or shall themselves do or cause to be done such improvements or development work, the Parties of the First Part may apply to the Council of the Corporation of the Township of King, either before or after the sale of the said lands, or the doing of the said work, and with the sanction and approval of the said Council, any such parcel may be exempted upon such terms as may be agreed upon, from the provisions of this clause, in respect to the conveying of the lands to the Corporation, or its nominee, or the vesting of the said land in the said Corporation or its nominee or nominees.

5. On the sale of the Debentures The Corporation of the Township of King will pay to the said Holland Marsh Syndicate the sum of \$3,200, its costs of the litigation, and the balance (less profit, if any, on sale of any of said debentures above par) shall be credited to the General Funds of the Township of King in payment of the taxes and assessments imposed on the Syndicate's said lands as described in the first part of paragraph 2 hereof during the years 1927 to 1934, except the sum of \$4,225, which shall be applied to defray the costs of the Township of King in the litigation and of the Private Bill.

6. The Parties of the First Part agree and consent to the Corporation of the Township of King applying at the next Session of the Legislature of the Province of Ontario for an Act to enable it to carry out the terms embodied in this Agreement.

7. The Corporation of the Township of King will, on the obtaining of the necessary legislation, pass a Debenture By-law to authorize the issue of Debentures, as provided herein and will endeavour to sell the same and carry out the terms of this Agreement. Upon obtaining the Special Legislation as aforesaid the said Action shall be dismissed without costs, save as hereinbefore provided.

8. In the event of it being found after investigation into the costs of the Drainage Scheme that the Township of King has assessed the said lands of the Syndicate in excess of the amount properly chargeable against the said lands for the cost of the said Scheme, then the by-laws subsequent to By-law 476 shall be amended and assessments adjusted so that proper credit shall be given for any amount or amounts assessed or charged over and above the amount properly assessable or chargeable according to the costs of the said Drainage work as so found.

In witness whereof the parties hereto have executed these presents.

SIGNED, SEALED AND DELIVERED

in the presence of

FASKEN, ROBERTSON, AITCHISON,  
PICKUP & CALVIN,

Per J. W. PICKUP,  
Solicitors for Holland Marsh  
Syndicate.

NAUGHTON & JENKINS,  
Solicitors for the Township of King.

## SCHEDULE "B"

This Agreement made this 15th day of March, 1935.

BETWEEN:

JOHN AINSLIE BAIRD, of the Town of Sarnia, in the County of Lambton; WILLIAM H. DAY, of the Village of Bradford, in the County of Simcoe; and JOHN MUNRO, of the City of Hamilton, in the County of Wentworth, Administrator of the Estate of DUNCAN PAUL MUNRO, late of the City of Guelph, in the County of Wellington, being all the Members of the HOLLAND MARSH SYNDICATE, hereinafter called the "Parties"

of the First Part;  
—and—

THE CORPORATION OF THE TOWNSHIP OF WEST GWILLIMBURY, in the County of Simcoe, hereinafter called the "Corporation"

of the Second Part;  
—and—

D. H. COLEMAN, Treasurer of the County of Simcoe,

of the Third Part.

Whereas The Holland Marsh Syndicate was the owner of certain lands in the Township of West Gwillimbury, in the County of Simcoe, held in the name of William H. Day.

And whereas certain of the lands of the above mentioned Syndicate in the Township of West Gwillimbury were sold to the Corporation of the Township of West Gwillimbury for alleged arrears of taxes owing thereon.

And whereas The Holland Marsh Syndicate issued a writ in the Supreme Court of Ontario to set aside the said sale of its said lands;

And whereas it is mutually agreed between the Parties hereto that the said action, litigation, or matter in dispute shall be settled as follows:

1. The alleged sale for taxes of the following lands:

(a) The whole of Township lots 4, 5, 6 and 7 in the First Concession.

(b) The whole of Township lot 6 (except that part patented to H. J. Bolton, October 23rd, 1852) and lots 9, 10 and 11, in the Second Concession.

(c) The whole of lot 11 (except 11½ acres patented by metes and bounds to John McFarland) and lots 14 and A in the Third Concession.

(d) The south half of Township lot Number 14 and that portion of lot 15 particularly described in deed registered in the Registry Office for the County of Simcoe on the 22nd day of May, 1925, as Number 7071 and the whole of lot 16 in the Fourth Concession.

(e) The whole of Township lots 16 and 17 in the Fifth Concession; all in the Township of West Gwillimbury, in the County of Simcoe, shall be set aside.

2. The arrears of taxes on the said lands for the years 1927 to the year 1934 inclusive, together with the costs of said litigation and the obtaining

of a Private Bill to confirm this agreement amount to \$15,914.00, and it is agreed that application shall be made to the Legislature of the Province of Ontario for a Private Bill authorizing the Corporation to borrow the said sum of \$15,914.00 and to issue debentures of the Corporation to that amount in sums of not less than \$50.00 each and payable within twenty-one years from the date of the said debentures with interest at the rate of 4½ per centum per annum, the said debentures to be payable in twenty-one equal annual instalments, including both principal and interest, and one of the said instalments to fall due each year during the said period; and for authority to assess each year during the said period of twenty-one years against the said lots and parts of lots a special rate sufficient to meet the said debenture instalment falling due in such year, the said special rate to be assessed, levied and collected over and above all other rates, and to be levied and collected in the same manner and at the same time as other rates are levied and collected, and the share of the said special rate to be assessed and levied against each of the said lots and parts of lots shall be determined in the same manner and be according to the same relative proportions as the said lots and parts of lots were assessed under the Original Drainage By-law of the Corporation of the Township of West Gwillimbury Number 595-A enacted on the 30th day of May, 1925.

3. It is agreed that the said Corporation shall apply to the next session of the Legislature for the Province of Ontario for an Act to confirm the several terms and provisions hereof and to authorize the Corporation to sell the said debentures and to make the said assessments and to terminate the said litigation.

4. In the event that the said parties of the First Part fail to pay or cause or procure to be paid, during the year 1935, the taxes properly assessed and levied during the year 1935 against any of the said lots or parts of lots, including the amount to be assessed as herein provided to meet the said debentures, the parties of the First Part will release and quit claim unto the Corporation or its nominee or nominees each and every lot or part of lot in respect of which such default shall occur, and on failure to so convey the said lot or part of lot shall vest in the Corporation or its nominee or nominees and the said Private Bill of the Legislature shall provide accordingly; provided, however, that if, during the year 1935, the Parties of the First Part shall procure a purchaser of any part of the said lands to settle thereon or shall procure such a purchaser to execute substantial improvements or development work upon any of the said lands or shall themselves do or cause to be done such improvements or development work, the Parties of the First Part may apply to the Council of The Corporation of the Township of West Gwillimbury either before or after the sale of the said lands or the doing of the said work and with the sanction and approval of the said Council any such parcel may be exempted upon such terms as may be agreed upon from the provisions of this clause in respect to the conveying of the lands to the Corporation or its nominee or the vesting of the said land in the said Corporation or its nominee or nominees.

5. On the sale of the said debentures, The Corporation of the Township of West Gwillimbury will pay to the said Holland Marsh Syndicate the sum of \$200.00 on account of its costs of the said litigation and the balance shall be credited to the general funds of the Township of West Gwillimbury in payment of the taxes and assessments imposed on the Syndicate's said lands during the years 1927 to 1934 inclusive, except the sum of \$350.00 which shall be applied to defray the costs of the Township of West Gwillimbury in the litigation and of the said Private Bill.

6. Upon the issuing of the said debentures, the Corporation shall pay to the said Syndicate the sum of \$200.00 on account of its costs as aforesaid.

7. Upon the Legislature for the Province of Ontario approving of the proposed Private Bill, the said action in the Supreme Court of Ontario shall be dismissed without costs save as set forth herein.

8. It is further agreed between the Parties hereto that the Corporation will procure from the Engineer in charge of the construction of the Holland Marsh Drainage Works, or other competent authority, a statement

showing the total cost thereof, together with a statement of the proceeds of all debentures sold by the said Corporation in connection with the Holland Marsh Drainage Scheme and any other moneys paid or payable in connection with the said Drainage Scheme, and after it is ascertained whether there be any deficiency of receipts to pay the said total cost after credit has been given for the proceeds of debentures sold in the years 1926 and 1927, an adjudication shall be made by the Engineer in charge of the said Drainage Works, or other competent Engineer appointed therefor, apportioning the amount of the said total cost not so paid or provided for among the Municipalities of The Corporation of the Township of West Gwillimbury, the Corporation of the Township of King and the Corporation of the Village of Bradford.

In witness whereof the Parties hereto have executed these presents.

SIGNED, SEALED AND DELIVERED

in the presence of:

FASKEN, ROBERTSON, AITCHISON,  
PICKUP & CALVIN.  
Per J. W. PICKUP,

Solicitors for Holland Marsh  
Syndicate.

EVANS & EVANS,  
Solicitors for Township of West  
Gwillimbury.

Boys & Boys,  
Solicitors for D. H. Coleman,  
Treasurer County of Simcoe.

BILL

An Act respecting the Township of King  
and the Township of West Gwillimbury.

*1st Reading*

March 21st, 1935

*2nd Reading*

April 12th, 1935

*3rd Reading*

April 17th, 1935

MR. BAKER

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the Town of Fort Frances.

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MR. CROOME

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(PRIVATE BILL)

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 35

1935

# BILL

An Act respecting the Town of Fort Frances.

**Preamble.**

**W**HEREAS the municipal corporation of the town of Fort Frances has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

**1.** This Act may be cited as *The Town of Fort Frances Act, 1935.*

**Authority  
to grant fixed  
assessment  
to certain  
companies.**

**2.** The council of the said corporation is hereby authorized with the assent of two-thirds of the electors qualified to vote on money by-laws who vote thereon to pass a by-law for granting a fixed assessment to the Ontario and Minnesota Power Company, Limited, the Fort Frances Pulp and Paper Company, Limited, The Seine River Improvement Company, Limited, and the International Bridge and Terminal Company, Limited, for a term of not exceeding ten years from the 1st day of January, 1935, and for entering into an agreement between the said corporation and the said companies relating to said fixed assessment and the properties to which said fixed assessment is to apply and upon such by-law being so passed and the agreement pursuant thereto being entered into such by-law and agreement shall be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the said companies and each of them and their respective successors and assigns.

**School taxes  
and local  
improve-  
ment rates  
not affected.**

**3.** Nothing in this Act contained or in any such by-law or agreement as aforesaid shall apply to or affect taxation for school purposes or local improvement rates.

**Commencement of Act.**

**4.** This Act shall come into force on the day upon which it receives the Royal Assent.



BILL

An Act respecting the Town of Fort Frances

*1st Reading*

*2nd Reading*

*3rd Reading*

MR. CROOME

(*Private Bill*)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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# BILL

An Act respecting the Town of Fort Frances.

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MR. CROOME

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(PRIVATE BILL)

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 35

1935

# BILL

## An Act respecting the Town of Fort Frances.

**Preamble.**

WHEREAS the municipal corporation of the town of Fort Frances has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

Therefore, His Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

**Short title.**

1. This Act may be cited as *The Town of Fort Frances Act, 1935.*

**Authority to grant fixed assessment to certain companies.**

2. The council of the said corporation is hereby authorized with the assent of two-thirds of the electors qualified to vote on money by-laws who vote thereon to pass a by-law for granting a fixed assessment at a sum not less than the fixed assessment heretofore enjoyed to the Ontario and Minnesota Power Company, Limited, the Fort Frances Pulp and Paper Company, Limited, The Seine River Improvement Company, Limited, and the International Bridge and Terminal Company, Limited, for a term of not exceeding ten years from the 1st day of January, 1935, and for entering into an agreement between the said corporation and the said companies relating to said fixed assessment and the properties to which said fixed assessment is to apply and upon such by-law being so passed and the agreement pursuant thereto being entered into such by-law and agreement shall be legal, valid and binding upon the said corporation and the ratepayers thereof and upon the said companies and each of them and their respective successors and assigns.

**School taxes and local improvement rates not affected.**

3. Nothing in this Act contained or in any such by-law or agreement as aforesaid shall apply to or affect taxation for school purposes or local improvement rates.

**Commencement of Act.**

4. This Act shall come into force on the day upon which it receives the Royal Assent.



BILL

An Act respecting the Town of Fort Frances

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*1st Reading*

April 10th, 1935

*2nd Reading*

*3rd Reading*

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MR. CROOME

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(Reprinted as amended by the Private Bills  
Committee)

1ST SESSION, 19TH LEGISLATURE, ONTARIO  
25 GEORGE V, 1935

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## BILL

An Act respecting the Town of Fort Frances.

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MR. CROOME

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TORONTO  
PRINTED BY T. E. BOWMAN  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

No. 35

1935

# BILL

## An Act respecting the Town of Fort Frances.

**Preamble.**

WHEREAS the municipal corporation of the town of Fort Frances has by its petition prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the said petition;

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**School taxes  
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3. Nothing in this Act contained or in any such by-law or agreement as aforesaid shall apply to or affect taxation for school purposes or local improvement rates.

**Commencement  
of Act.**

4. This Act shall come into force on the day upon which it receives the Royal Assent.



¶ BILL

An Act respecting the Town of Fort Frances

*1st Reading*

April 10th, 1935

*2nd Reading*

April 12th, 1935

*3rd Reading*

April 17th, 1935

MR. CROOME











